



LAWS OF MALAYSIA

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Act 318

STRATA TITLES ACT 1985

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STRATA TITLES ACT 1985

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LAWS OF MALAYSIA**Act 318****STRATA TITLES ACT 1985**

An Act to facilitate the subdivision of building or land into parcels, the disposition of titles and the collection of rent and for purposes connected therewith.

*[Peninsular Malaysia, the Federal Territory of Kuala Lumpur
and the Federal Territory of Putrajaya—1 June 1985,
P.U. (B) 276/1985;
Federal Territory of Labuan—1 January 2010,
P.U. (B) 454/2009]*

WHEREAS it is desired to introduce in the form of a Strata Titles Act a uniform legislation within the States of Johore, Kedah, Kelantan, Malacca, Negeri Sembilan, Pahang, Penang, Perak, Perlis, Selangor, Terengganu and the Federal Territory of Kuala Lumpur, the Federal Territory of Putrajaya and Federal Territory of Labuan;

AND WHEREAS it is now expedient for the purpose only of ensuring uniformity of law and policy to make with respect to tenure of parcels in a building or land, registration of titles relating to parcels in a building or land, transfer of parcels in a building or land, collection of rent, leases and charges in respect of parcels in a building or land, and easements and other rights and interests in parcels in a building or land;

Now, therefore pursuant to the provisions of Clause (4) of Article 76 of the Constitution, **BE IT ENACTED** by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and the Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Strata Titles Act 1985.

Application

2. This Act shall apply only to Peninsular Malaysia, the Federal Territory of Putrajaya and the Federal Territory of Labuan.

Commencement

3. (1) This Act shall come into force in each State on such date as the Minister may, with the approval of the National Land Council, by notification in the *Gazette*, appoint.

(2) This Act shall come into force in the Federal Territory on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

4. In this Act, unless the context otherwise requires—

“accessory parcel” means any parcel shown in a strata plan as an accessory parcel which is used or intended to be used in conjunction with a parcel;

“building”, in relation to a lot which is to be developed in stages, includes any building partially completed or to be erected within the lot as shown or specified in any proposed strata plan submitted for approval;

“certificate of proposed strata plan” means the certificate certifying the proposed strata plan prepared under section 8A or 20A, as the case may be;

“certificate of completion and compliance” has the meaning assigned to it under section 3 of the Street, Drainage and Building Act 1974 [Act 133];

“certified strata plan” means the plan prepared under section 13 or 22, as the case may be and certified by the Director of Survey;

“Commissioner” means the Commissioner of Buildings appointed under section 4 of the Strata Management Act 2013 [Act 757];

“common property” means so much of the lot as is not comprised in any parcel (including any accessory parcel), or any provisional block as shown in a certified strata plan;

“delineation plan” means a plan showing the delineation of land parcels;

“Director” means the Director of Lands and Mines for the State or the Federal Territory and includes a Deputy Director of Lands and Mines;

“Director of Survey” means the Director of Survey and Mapping for the State or the Federal Territory and includes a Deputy Director of Survey and Mapping;

“Federal Territory” means the Federal Territory of Kuala Lumpur and the Federal Territory of Putrajaya;

“floor area”, in relation to a parcel, means the area occupied by that parcel;

“form”, followed by a number, means the form in the First Schedule identified by that number;

“Land Administrator” means the Land Administrator for the District appointed under the *National Land Code [Act 828] and includes an Assistant Land Administrator appointed thereunder;

“land parcel” means a unit delineated within the lot in which is comprised a building of note more than four storeys (excluding shared basement) which is held under a strata title which may have shared basement, comprises accessory parcels and common property;

“land surveyor” means the Director of Survey appointed under the National Land Code or a land surveyor licensed to practise as such under any law for the time being in force in relation to survey;

“location plan” means a location plan under subsection 8A(3) or 20A(3), as the case may be;

“low-cost building” means any building certified by the State Authority under section 9B;

“management corporation”, in relation to any subdivided building or land shown in a certified strata plan, means the management corporation established under section 17;

“Minister” means the Minister charged with the responsibility for land matters;

“original proprietor” means the proprietor of the lot immediately before the subdivision of building or land;

“parcel”, in relation to a subdivided building, means one of the individual units comprised therein, which (except in the case of an accessory parcel) is held under separate strata title, and in relation to a subdivided land, means one of the individual units of land parcel;

* *NOTE*— The National Land Code [Act No. 56 of 1965] has been revised as the National Land Code [Act 828].

“prescribed” means prescribed by rules made by the State Authority under section 81;

“proprietor” refers to a parcel proprietor, that is to say, a person or body for the time being registered as the proprietor of a parcel, as well as to the proprietor of a provisional block, that is to say, a person or body for the time being registered as the proprietor of a provisional block unless expressly provided otherwise;

“provisional block” means—

- (a) in relation to a subdivided building, a block in respect of a building proposed to be, or in the course of being, erected on building or land, for which a separate provisional strata title is applied for;
- (aa) in relation to a subdivided land, a block in respect of the proposed land parcels, for which a separate provisional strata title is applied for;
- (b) in relation to a certified strata plan, such a block shown therein, for which a provisional strata title is to be registered; and
- (c) in relation to a book of strata register, such a block shown therein, for which a provisional strata title has been registered;

“provisional share units” means the share value allotted to a provisional block shown in the strata register;

“provisional strata title” means the title registered and issued under section 16 in respect of a provisional block;

“purchaser” means any person or body who purchases a parcel or who has any dealing with a developer in respect of the acquisition of such parcel;

“Registrar” means—

(a) in relation to strata titles which are dependent on Registry titles, the Registrar of Titles or Deputy Registrar of Titles for the State; and

(b) in relation to strata titles which are dependent on Land Office titles, the Land Administrator for the District;

“rent” has the meaning assigned to it under section 5 of the National Land Code and includes any annual sum payable to the State Authority of any parcel or provisional block pursuant to section 4c by way of rent and any fees due to the State Authority in respect of any arrears of rent provided by rules under section 81;

“schedule of parcels” means the schedule of parcels or amended schedule of parcels prepared under the Strata Management Act 2013;

“share units”, in respect of a parcel, means the share units determined for that parcel as shown in the strata register;

“special building” means any building occupied before June 1996 or any building occupied from June 1996 to 11 April 2007, as classified by the State Authority as such;

“storey” means any horizontal division of a building whether or not on the same level throughout and whether above or below the surface of the ground;

“storey plan” means a storey plan under subsection 8A(4) or 20A(4), as the case may be;

“strata plan”—

(a) in relation to a subdivided building, means a location plan and a storey plan and includes a plan of division or amalgamation of any parcels shown in a certified strata plan; and

(b) in relation to a subdivided land, means a location plan and a delineation plan, and includes a plan of division or amalgamation of any parcels shown in a certified strata plan,

and in the case of land parcel with shared basement, includes a storey plan;

“strata register” means the register of strata titles maintained under the provisions of section 15;

“strata roll”, in relation to a subdivided building or land, means the roll maintained under the Strata Management Act 2013;

“strata title” means the title issued under section 16;

“subdivided building or land” means a building or land as subdivided under Part II or Part IV, as the case may be;

“subsidiary management corporation” in relation to limited common property means the subsidiary management corporation created under section 17A;

“super structure stage” means the stage upon the completion of building works as duly certified in accordance with the relevant by-laws made under the Street, Drainage and Building Act 1974 [*Act 133*];

“unanimous resolution” means a resolution which is passed at a duly convened general meeting of a management corporation of which at least twenty-one days’ notice specifying the proposed resolution has been given and against which no vote is cast.

Coming into operation of the Computerization System of Strata Titles in any Land Registry

4A. (1) The Minister may, with the approval of the National Land Council, by notification in the *Gazette*, appoint a date for the coming into operation of the Computerization System of Strata Titles in any Land Registry.

(2) For the purpose of subsection (1), the term “Land Registry” means—

- (a) in the case of strata titles which are dependent on Registry titles, the office of the Registrar of Titles for the State; and
- (b) in the case of strata titles which are dependent on Land Office titles, the office of the Land Administrator for the District.
- (3) Upon the coming into operation of the Computerization System of Strata Titles in any Land Registry—
- (a) the provisions of the Fifth Schedule shall apply; and
- (b) the provisions of this Act in so far as they relate to the forms of document of title, the procedure for the preparation and registration of any document of title, any dealing in parcel and any entry or endorsement of any note, memorial, or any correction or cancellation thereof on any document of title shall be read with the modifications, amendments, additions, deletions, substitutions or adaptations as provided in the Fifth Schedule.
- (4) The Minister may, with the approval of the National Land Council, by order published in the *Gazette*, amend the Fifth Schedule.
- (5) Except as provided in paragraph (3)(b), all other provisions of this Act shall remain in operation and continue to be applicable to every document of title, instrument or other document prepared under the Computerization System of Strata Titles.

Coming into operation of the Electronic Land Administration System of Strata Titles in any Land Registry

- 4B.** (1) The Electronic Land Administration System of Strata Titles shall come into operation in any Land Registry upon notification in the *Gazette* pursuant to subsection 5D(1) of the National Land Code.
- (2) For the purpose of subsection (1)—

- (a) “Disaster Recovery Centre” means a centre of backup and recovery system set up by the State Authority for the continuity of business operation of the Electronic Land Administration System;
- (b) “Land Registry” includes—
 - (i) in the case of strata titles held or to be held dependent on Registry titles, the office of the Registrar of Titles for the State;
 - (ii) in the case of strata titles held or to be held dependent on Land Office titles, the office of the Land Administrator for the District; and
 - (iii) in times of disaster as specified by the State Authority, the Disaster Recovery Centre.

(3) Upon the coming into operation of the Electronic Land Administration System for Strata Titles in any Land Registry—

- (a) the provision of the Sixth Schedule shall apply in so far as they relate to the forms of document of strata title, the procedure for the preparation and registration of any document of strata title, any dealing and any entry or endorsement of any note, memorial or memorandum or any correction or cancellation thereof on any document of strata title;
- (b) other provisions of this Act which relate to the Electronic Land Administration System shall be read with modifications, amendments, additions, deletions, substitutions or adaptations as provided in the Sixth Schedule; and
- (c) the provision of the Fifth Schedule shall cease to be operative.

(4) The Minister may, with the approval of the National Land Council, by order published in the *Gazette*, amend the Sixth Schedule.

Coming into operation of the rent of parcel or provisional block, etc.

4c. (1) The Minister may, with the approval of the National Land Council, by notification in the *Gazette*, appoint a date for the coming into operation of rent of parcel or provisional block in any State.

(2) Upon the coming into operation of the implementation of rent of parcel or provisional block in any State—

(a) the provisions of Part IV_A shall apply;

(b) the provisions of this Act shall—

(i) in so far as the provisions relate to the procedure for the implementation of rent of parcel or provisional block and for the purposes connected therewith; and

(ii) in so far as the provisions relate to the endorsement to be made or other matters ancillary thereto for the carrying into effect of the rent of parcel or provisional block, to the document of strata title or strata register,

be read with modifications, amendments, additions, deletions, substitutions or adaptations as provided in Part IV_A.

Construction of the Act

5. (1) This Act shall be read and construed with the National Land Code as if it forms part thereof.

(2) The National Land Code and the rules made thereunder, in so far as they are not inconsistent with the provisions of this Act or the rules made thereunder, or are capable of applying to parcels, shall apply in all respects to parcels held under the strata titles.

(3) Notwithstanding subsections (1) and (2), the Yang di-Pertuan Agong may, from time to time, by order provide—

- (a) for the non-application of any provision of the National Land Code to this Act; or
- (b) for the application of any provision of the National Land Code to this Act subject to such variations, modifications, adaptations, additions or deletions as may be specified in the order.

(4) In the application of subsection (1) to the Federal Territory, the National Land Code shall be read as modified by the Yang di-Pertuan Agong under subsection 5(3) of the Constitution (Amendment) (No. 2) Act 1973 [*Act A206*].

(5) Any reference to the State Authority in this Act in its application in the Federal Territory and in the operation of the National Land Code as modified under subsection (4), shall be construed as a reference to the Minister charged with the responsibility for land in the Federal Territory.

PART II

APPLICATION FOR SUBDIVISION OF A BUILDING OR LAND

Building or land capable of being subdivided into parcels

6. (1) Any building having two or more storeys on alienated land held as one lot under final title (whether Registry or Land Office title) shall be capable of being subdivided into parcels; and any land on the same lot shall also be capable of being subdivided into parcels each of which is to be held under a strata title or an accessory parcel.

(1A) Any alienated land having two or more buildings held as one lot under final title (whether Registry or Land Office title) shall be capable of being subdivided into land parcels each of which is to be held under a strata title or as an accessory parcel.

(2) Notwithstanding subsection (1), the State Authority may, by rules, published in the *Gazette*, prohibit the subdivision of buildings or land of any class or description as may be specified in such rules.

Original proprietor may apply for subdivision of a building or land

7. The original proprietor of any alienated land on which there is any building or land which is capable of being subdivided under section 6 may, subject to the provisions of this Act, apply for the subdivision thereof to the Director.

Circumstances in which it is compulsory to apply for subdivision of a building or land

8. (1) The original proprietor of any alienated land on which there is a building capable of being issued with strata titles shall, within the period specified in subsections (2) and (3), apply in accordance with subsections 8A(1) and 9(1) for the subdivision of the building or land if at any time he has sold or agreed to sell any parcel in such building or land to any person.

(2) The period within which the requirements of subsection 8A(1) shall be complied with is as follows:

- (a) in the case where the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreements takes place and the document that certifies the super structure stage is issued after the commencement of this Act, the period is three months from the date of issuance of the document that certifies the super structure stage;
- (b) in the case where the building is completed after the commencement of this Act and the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreements took place before the commencement of this Act, the period is three months from the date the building is completed;
- (c) in the case where the building is completed and the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreements takes place after the commencement of this Act, the period is three months from the date the

building is completed or the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreements took place whichever is the later;

- (d) in the case where the building was completed and the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreements took place before the commencement of this Act, the period is three months from the date of the commencement of this Act;
- (e) in the case where the building was completed before the commencement of this Act and the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreements takes place after the commencement of this Act, the period is three months from the date of the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreements took place.

(3) The original proprietor of any alienated land on which the building or land had been issued with the certificate of proposed strata plan under subsection 8A(8), shall apply for subdivision in accordance with subsection 9(1) within a period of one month from the date of issuance of the certificate of proposed strata plan.

(4) The period specified in subsection (2) may, on an application made before its expiry, be extended once by the Director of Survey for any further period not exceeding one month.

(5) The period specified in subsection (3) may, on an application made before its expiry, be extended once by the Director for any further period not exceeding one month.

(6) The application for the approval of the Director shall be treated as not being in accordance with subsection 8A(1) if the application is defective by reason of any material noncompliance with any of the requirements of subsection 9(1) pertaining to the application.

(7) Where an application is not made within the period specified in subsections (2) and (3), and, within the period of such extension granted

in respect of a building or land under subsection (4) or (5), the original proprietor shall be guilty of an offence.

(8) The original proprietor who is guilty of an offence under subsection (7) shall, on conviction—

- (a) be liable to a fine of not less than ten thousand ringgit but not more than one hundred thousand ringgit or to imprisonment for a term not exceeding three years or to both and, in the case of a continuing offence, to a further fine of not less than one hundred ringgit but not more than one thousand ringgit for every day during which the offence continues to be committed; and
- (b) the court may order the original proprietor to apply for subdivision of building or land within a period specified in the order.

(9) For the purposes of paragraphs (2)(b), (c), (d) and (e), the date on which the building is or was completed shall be the date on which the certificate of completion and compliance is issued, certified by any local authority to be fit for occupation or use, or certified in accordance with the provisions of any written law for the time being in operation.

Application for certificate of proposed strata plan

8A. (1) For the purpose of subsection 9(1), the original proprietor of any alienated land on which the building or land is capable of being issued with strata titles shall apply for a certificate of proposed strata plan to the Director of Survey by submitting Form 10 together with the following:

- (a) fees for the survey carried out or caused to be carried out under subsection 8A(8);
- (b) except in a case falling under paragraph (c), the original copy of the building plans approved by the local planning authority;

- (c) if the original copy of the building plans approved by the local planning authority are not available, the application under this subsection shall be accompanied by—
 - (i) plans of the building, certified by a Professional Architect or by a land surveyor as having been drawn according to the actual features of the building and as truly representing those features; and
 - (ii) a certification by a duly authorized officer of the appropriate local planning authority that the building as represented by the plans mentioned in subparagraph (i), was erected with planning permission but the plans and specifications by reference to which that permission was given are no longer available, and that the local planning authority is nevertheless satisfied that the building as so represented satisfies planning requirements;
- (d) a proposed strata plan comprising a location plan, storey plan and delineation plan, containing such details as are specified in subsections (2), (3), (4), (5), (6) and (7) respectively, and certified by a land surveyor as follows:
 - (i) that he has made a comparison of the plans to the approved building plans prepared by a Professional Architect registered under the Architects Act 1967 [Act 117] or a Professional Engineer registered under the Registration of Engineers Act 1967 [Act 138] responsible for its construction, or in a case falling under paragraph (c), to the building plans which have been drawn and certified by the Professional Architect or by the land surveyor;
 - (ii) in the case of a storey plan, that the boundaries of the parcels shown thereon follow features of permanent construction appearing in the building;

- (iii) that the building or buildings are situated wholly within the boundaries of the lot in question, but discounting any eave, awning, and any balcony not forming part of a proposed parcel, which projects over a road reserve to which there subsists a permit or permits issued under section 75A of the National Land Code in respect of every such eave, awning and balcony;
 - (iv) that each of the proposed parcels has—
 - (A) an adequate means of access not passing through another parcel; and
 - (B) an adequate means of internal communication not passing through the common property;
 - (v) that it has been certified by a land surveyor that the position of each provisional block as delineated on the location plan is wholly within the boundaries of the lot in question;
- (e) in the case of any building or land parcels for the erection of which planning permission was required, a certification by the Professional Architect or by the Professional Engineer referred to in subparagraph (1)(d)(i) that the building was constructed in accordance with the plans and specifications by reference to which that permission was given; and the plans and specifications of the buildings state the date on which such permission was given and the reference number, if any;
- (f) a certified copy of the final title of the lot;
- (g) a certified copy of the document that certifies the super structure stage for the case under paragraph 8(2)(a);

- (h) a certified copy of the certificate of completion and compliance or certificate of fitness for occupancy, as the case may be, except in the case under paragraph 8(2)(a); and
- (i) a certified copy of the schedule of parcel or amended schedule of parcels, as the case may be, filed with the Commissioner under the Strata Management Act 2013 except in the case under paragraphs 8(2)(b) and (d).

(1A) Notwithstanding subsection (1), the Director of Survey, in approving the application for the certificate of proposed strata plan—

- (a) of a special building; or
- (b) in any other circumstances where he deems fit,

may give exemption to the documents in paragraphs (1)(e) and (h) or require any other documents together with the application.

(2) For the purpose of subdivision under subsection 6(1A), the proposed strata plan shall comprise a location plan and a delineation plan, and in the case of subdivision of land with shared basement, includes a storey plan showing the proposed accessory parcels and common property.

(3) Every location plan shall—

- (a) specify the lot number, the title number of the land comprised therein and the area thereof;
- (b) delineate the boundaries and boundary marks of the lot and the position of all buildings thereon, showing which of these buildings are to be subdivided and in the case of an application for subdivision of land into land parcels, delineate the boundaries and boundary marks of the lot and the parcels showing the position of all the buildings thereon;
- (c) in the case for subdivision of building, and subdivision of land into land parcels with shared basement, include a vertical

section of each such building or shared basement, as the case may be, showing—

- (i) the floor and ceiling of each storey; and
 - (ii) the height of each storey; and
- (d) contain such other details as may be determined by the Director of Survey.
- (4) Every storey plan shall—
- (a) specify the lot number and the title number of the land comprised therein, and the building and numbered storey thereof to which the plan relates;
 - (b) delineate, subject to the provisions of paragraphs (7)(a) and (b), each proposed parcel and define the boundaries thereof by reference to floors and walls showing the horizontal dimensions, without it being necessary to show the bearing;
 - (c) indicate in respect of each such parcel the number by which it is described in the proposed strata plan;
 - (d) specify the floor area of each parcel;
 - (e) distinguish such parts as are not to be included in any of the parcels but are to become part of a common property; and
 - (f) contain such other details as may be determined by the Director of Survey.
- (5) Every delineation plan shall—
- (a) specify the lot number and the title number of the land comprised therein, and the land parcel to which the plan relates;

- (b) delineate each proposed land parcel by reference to the lot boundary showing the bearing and distance of each boundary;
 - (c) indicate in respect of each such land parcel the number by which it is described in the proposed strata plan;
 - (d) specify the area of each land parcel;
 - (e) distinguish such parts as are not to be included in any of the land parcels but are to become part of the common property; and
 - (f) contain such other details as may be determined by the Director of Survey.
- (6) Every proposed strata plan shall—
- (a) show a legend of—
 - (i) all parcels;
 - (ii) all common property; and
 - (iii) all accessory parcels, and specify therein the parcels they are made appurtenant to, irrespective of whether the accessory parcels are contiguous to those specified parcels; and
 - (b) contain such other particulars as may be determined by the Director of Survey.
- (7) Where an accessory parcel—
- (a) consists of a building or parts thereof and is bounded by external walls, floors and ceilings, the dimensions and boundaries of such accessory parcel shall be shown in the proposed strata plan in accordance with the requirements of subsections (3), (4) and (5);

- (b) does not consist of a building or parts thereof—
- (i) the external boundaries of the accessory parcel shall be ascertained from the building plans approved by the planning authority, and the accessory parcel shall be up to a reasonable height or to the extent of any projection above or encroachment below ground level by another part of the lot; and
 - (ii) the proposed strata plan shall show a diagram of the accessory parcel with similar dimensions as those shown on the approved plans mentioned in subparagraph (i).

(8) The Director of Survey shall thereupon check the location plan, storey plan and delineation plan, whichever is applicable, carry out or cause to be carried out such survey of the land, any of the buildings thereon or any of the parcels, and shall—

- (a) issue a certificate of proposed strata plan to the applicant if he is satisfied that the plans are in order;
- (b) issue a copy of such certificate to the Land Administrator for the purpose of section 8; and
- (c) notify the Land Administrator of the amount of fees to be collected in respect of the plans caused to be prepared in the event of the approval of the application.

(9) Where an application under subsection (1) involves a provisional block or blocks by virtue of section 9A, the following requirements relating to the provisional block or blocks shall, in addition to the requirements of section 9 relating to the particular building or buildings or land to be subdivided, be observed in making the application:

- (a) the application shall be accompanied by the original copy of the building plans approved by the planning authority for the building or buildings to be, or in the course of being, erected;

- (b) the location plan shall include a legend, and shall delineate the position of each provisional block, showing in accordance with the approved building plans, the vertical section and dimension of the building or shared basement for land parcel, if any;
- (c) the application shall be accompanied, as forming part of the proposed strata plan, by a storey plan in respect of each provisional block, which shall delineate the external boundaries, and show, in accordance with the approved building plans, the horizontal dimensions of the building or shared basement for land parcel, if any, to which the provisional block relates, without it being necessary to show any bearings; and
- (d) the proposed strata plan shall, in respect of a provisional block or blocks in respect of land—
 - (i) delineate the proposed block by reference to the lot boundary showing the bearing and distance of each boundary;
 - (ii) specify the area for provisional block or blocks; and
 - (iii) contain such other details as may be determined by the Director of Survey.

Application for subdivision of building, etc.

9. (1) An application for the approval of the Director for the subdivision of building or land shall be made in Form 1 to the Land Administrator and shall be accompanied by—

- (a) such fees as may be prescribed;
- (b) such fees as so notified by the Director of Survey under paragraph 8A(8)(c);

- (c) a certificate of the proposed strata plan;
 - (d) the classification certificate of a low-cost building issued under subsection 9B(3), if any;
 - (e) the written consents to the making of the application of every person who, at the time of the application, is entitled to the benefit of a lease of the whole or any part thereof, other than a part corresponding precisely with, or included within, one of the parcels to be created upon subdivision;
 - (f) the proposed name of the management corporation, and the address for the service of documents thereon, required to be supplied pursuant to subsection 15(3);
 - (g) the issue document of title of the lot;
 - (h) a certified copy of the certificate of completion and compliance or certificate of fitness for occupancy, as the case may be, except—
 - (i) in the case under paragraph 8(2)(a);
 - (ii) when the building is classified as special building and the certified copy of the certificate of completion and compliance or certificate of fitness for occupancy is not available; or
 - (iii) in any other circumstances where the Land Administrator is satisfied that the certified copy of the certificate of completion and compliance or certificate of fitness for occupancy may be exempted; and
 - (i) a certified copy of the schedule of parcels or amended schedule of parcels, as the case may be, except in the case under paragraphs 8(2)(b) and (d).
- (2) No application under subsection (1) shall be made unless—

- (a) the land is held under final title;
- (b) the use of the land is not contrary to the land category and conditions; and
- (c) the land is not subject to any charge or lien.

(3) Upon receipt of an application under subsection (1), the Land Administrator shall endorse or cause to be endorsed, a note of the making thereof on the register document of title.

(4) The Land Administrator shall thereupon if he is satisfied that the application and the other documents presented therewith are in order, transmit them to the Director together with his recommendations for approval or rejection.

Application for subdivision in the case of phased developments

9A. An application under subsection 9(1), except where it relates to a low-cost building, shall include an application for the issue of provisional strata title for a provisional block in respect of a building or land proposed to be, or in the course of being, erected on the lot in question.

Application for subdivision in the case of low-cost buildings

9B. (1) The State Authority may, on an application by a proprietor of any alienated land or at any time on its own motion, having regard to the location, nature of construction and the cost of the building, classify it to be a low-cost building.

(2) Without prejudice to subsection (1), the State Authority may prescribe the classification for any type of building to be a low-cost building.

(3) Upon classifying any building to be a low-cost building, the State Authority shall issue a certificate to the proprietor of the alienated land.

(4) Upon receipt of the certificate issued by the State Authority, the proprietor of the alienated land shall apply for the subdivision of the building under subsection 9(1).

(5) No building erected in a provisional block shall be classified to be a low-cost building.

Conditions for approval

10. (1) The Director shall not approve the subdivision of any building or land into parcels unless the following conditions are satisfied:

- (a) that the Director of Survey has issued the certificate of proposed strata plan;
- (b) that the subdivision would not contravene any condition or restriction in interest to which the land comprised in that lot is for the time being subject;
- (c) that the subdivision would not be contrary to the provisions of any written law for the time being in force and that any requirements imposed with respect thereto by or under any such written law have been complied with;
- (d) that no item of land revenue is outstanding in respect of the land;
- (e) that consent in writing to the making of the application has been obtained from every person who at the time when approval was applied for, was entitled to the benefit of a lease of the whole or any part thereof, other than a part corresponding precisely with, or included within, one of the parcels to be created upon subdivision;
- (f) that, where the land on which the building or buildings stand is held for a term of years, there still remains a period of not less than twenty-one years to run;

- (g) that the land on which the building or buildings stand is not subject to any charge or lien;
- (h) that the proposed share units assigned to the parcels by the proprietor of the lot in his application in Form 1 are equitable; and
- (i) that the land is held under final title.

(2) In a case of an application involving a provisional block or blocks by virtue of section 9A, the Director shall not approve the subdivision of any building or land to which the application relates unless the following additional conditions are satisfied:

- (a) that it has been certified by a land surveyor that the position of each provisional block as delineated on the location plan is wholly within the boundaries of the lot in question;
- (b) that the quantum of provisional share units assigned to each provisional block by the proprietor of the lot in his application in Form 1 are equitable; and
- (c) that the proprietor—
 - (i) has given the date by when he undertakes that the construction of the building or each building to which the provisional block or blocks relate will be completed;
 - (ii) has paid to the Director in respect of each provisional block a deposit of such reasonable amount as the Director may require; and
 - (iii) has furnished a written statement to the effect that he agrees that the amount be forfeited to the government in the event that, by that date or by such later date as the Director may allow, the construction of the building to which the provisional block relates is not

completed or, if completed, the certificate of completion and compliance has not been issued.

10A. *(Deleted by Act A1450).*

10B. *(Deleted by Act A1450).*

Withdrawal of applications

11. (1) An application under subsection 9(1) shall not be capable of being withdrawn except with the concurrence of the Director; and the Director shall not give his concurrence unless he is satisfied that the withdrawal is not, or will not be, detrimental to the interests of any person who has purchased or agreed to purchase any parcel of the building in question.

(2) Where the application under subsection 9(1) is withdrawn, the Director shall notify the Registrar or Land Administrator who shall cancel or cause to be cancelled the note thereof endorsed on the register document of title pursuant to subsection 9(3).

Powers of Director of Lands and Mines in relation to applications

12. (1) On receiving any application made under section 9, the Director shall—

(a) approve the subdivision if it appears to him that the conditions specified in section 10 are satisfied; and

(b) in any other case, reject the application.

(2) Where he has approved any application for subdivision of building or land, the Director shall request the Director of Survey to prepare or cause to be prepared a certified strata plan.

- (3) Where he has rejected any such application, the Director shall—
 - (a) notify the Land Administrator who shall forthwith inform the proprietor and shall cancel or cause to be cancelled the note thereof endorsed on the register document of title pursuant to subsection 9(3); and
 - (b) refund all fees for the preparation and registration of strata titles.

Action by Director of Survey after approval of subdivision

13. (1) Upon receipt of the request by the Director and upon being informed that the fees referred to in paragraph 8A(8)(c) have been duly paid, the Director of Survey shall—

- (a) from the relevant proposed strata plan, prepare or cause to be prepared a certified strata plan complying with the requirements of subsection (2), with such modifications as he may consider necessary;
- (b) file the certified strata plan in his office;
- (c) prepare one copy of the certified strata plan for retention by the Registrar;
- (d) prepare additional copies of the certified strata plan, or copies of the various folios thereof as mentioned in subsection (4), for the purpose of attaching them to the issue documents of title to the parcels which are to be created on the subdivision; and
- (e) transmit to the Director, the copies so prepared, together with the approved application and other accompanying documents.

(2) The certified strata plan referred to in paragraph (1)(a) shall be a plan delineating, on as many folios as may be considered most suitable

for the purpose, the storeys of the building or buildings to be subdivided, and the parcels within each storey and every folio shall contain also—

- (a) a plan of the land, showing the position of every building thereon; and
- (b) except for land parcels, a vertical section of the building or buildings to be subdivided, showing the position therein of the storey or storeys to which it relates.
- (c) (*Deleted by Act A1450*).

(3) For the purposes of the preparation of any such certified strata plan, the boundary of any parcel of a building with any other parcel, or with any part of the building which is not included in any of the parcels, shall, except in so far as it may have been otherwise provided in the relevant storey plans, be taken to be the centre of the floor, wall or ceiling, as the case may be, or in the case of land parcels, the boundary shall be defined by its demarcation on the land.

(4) The number of additional copies of the certified strata plan to be prepared pursuant to paragraph (1)(d) shall be as follows:

- (a) where any such plan consists of one folio only, the number of copies shall be equal to the number of parcels shown thereon; and
- (b) where any such plan consists of two or more folios, the number of copies of each folio to be so prepared shall be equal to the number of parcels shown on that folio.

(5) For the purposes of this section, the certified strata plan in respect of a provisional block shall contain a plan showing the position of the provisional block and the vertical section and dimension of the building or shared basement for land parcel, if any.

Issue of strata titles to individual parcels

14. Upon receiving from the Director of Survey the documents referred to in paragraph 13(1)(e), and upon being informed by the Land

Administrator that the fees for preparation and registration of strata titles have been paid, the Director shall direct the Registrar to open a book of the strata register in accordance with section 15 and prepare, register and issue strata titles in accordance with section 16.

14A. (*Deleted by Act A1450*).

PART III

REGISTRATION OF STRATA TITLES

Preparation and maintenance of strata register

15. (1) The Registrar shall prepare and maintain for the purposes of this Act a register of strata titles to be known as the strata register.

(2) The strata register shall consist of a series of books, each relating to one lot, and every such book shall contain—

(a) an index in Form 2 to the individual parcels and, if any, appurtenant accessory parcels and to the individual provisional block, if any, comprised in the lot;

(b) a statement in Form 3 which subject to subsections (4), (5) and (6) shall—

(i) set out, or where appropriate summarize so far as they relate to matters capable of affecting any of those parcels or provisional blocks, all express conditions, restrictions-in-interest, memorials, endorsements and other entries which appeared on the register document of title to the lot at the time the statement was authenticated by the Registrar; or

(ii) confirm that there were no such entries;

- (c) a copy of the certified strata plan prepared under paragraph 13(1)(a); and
- (d) the register document of title in Form 4 in respect of a parcel and in form 4A in respect of a provisional block.

(3) The name of the management corporation, and the address for the service of documents thereon, required to be stated in the index in Form 2 shall be supplied to the Registrar by the proprietor of the lot.

(3A) Where the proprietor of the lot, after being given reasonable notice by the Registrar, fails to supply the name of the management corporation or the address for service of documents thereon as required by subsection (3), the Registrar—

- (a) as regards the name of the management corporation, shall himself determine the name to be stated in the index in Form 2; or
- (b) as regards the address for service, shall cause to be stated in the index in Form 2 the postal address of any building erected within the lot.

(4) For the purposes of the statement in Form 3, no account shall be taken of any lease, tenancy or any caveat relating to a part of the building which corresponds precisely with, or is included within one of the parcels created on the subdivision, or of any charge of, or lien over, such a lease; but any such lease, tenancy, caveat or charge shall be endorsed on the register document of title to the parcel in question.

(5) The Registrar shall, in the case of private caveats or Registrar's caveats appearing on the register document of title to the lot, if satisfied that such caveats affect only particular parcels created on the subdivision, endorse such caveats on the register documents of title to the parcels in question, and endorse or cause to be endorsed, a note of the cancellation of such caveats on the register document of title to the lot.

(6) Where the Registrar is unable to ascertain to his satisfaction the caveats which affect the particular parcels, he may, instead of setting out or summarizing them, endorse a statement in Form 3 to the effect that the

lot is so subject to the caveats entered on the register document of title to the lot:

Provided that the Registrar may at any time thereafter, if it can be ascertained to his satisfaction that any of such caveats relate to particular parcels, endorse such caveats on the register documents of title to the parcels in question and endorse or cause to be endorsed, a note of the cancellation of such caveats on the register document of title to the lot.

Documents of strata title

16. (1) The Registrar shall prepare documents of strata title in respect of—

- (a) a parcel in Form 4; and
- (b) a provisional block in Form 4A, if any.

(2) The documents of strata title to be prepared by the Registrar in respect of any parcel or provisional block under subsection (1) shall consist of—

- (a) a register document of title in Form 4 in respect of a parcel and in Form 4A in respect of a provisional block;
- (b) an issue document of title, consisting of a copy of the register document to which shall be attached the copy of the certified strata plan or of the relevant folio of that plan prepared under paragraph 13(1)(d):

Provided that, in the case of a parcel created on the division or amalgamation of any existing parcels, the plan to be attached to the issue documents of title shall be such as may be prepared in accordance with Part V of this Act.

(3) Every document of strata title shall be prepared in the name of the person last registered as proprietor of the lot in question, or where it relates to a parcel created as mentioned in the proviso to subsection (2)

in the name of the person last registered as proprietor of the existing parcel or parcels.

(4) *(Deleted by Act A753).*

(5) The registration of the register documents of strata title shall consist of their authentication under the hand and seal of the Registrar; and the date of registration shall be inscribed by him on every document.

(6) Sections 89 to 91 of the National Land Code shall apply to documents of strata title as they apply to documents of final title:

Provided that where any parcel is subject to a charge or lien, nothing in section 90 of the National Land Code shall be taken to authorize the issue of the document of title thereto to the proprietor of the parcel.

Effect of opening of book of strata register

17. (1) On authenticating the statement in Form 3 required to be contained in any book of the strata register, the Registrar shall make on the register document of title and the issue document of title to the lot in question a memorial to the effect that the book has been opened, and that the common property is vested in the management corporation coming into existence by virtue of subsection (3), and shall return the issue document of title to that corporation.

(2) No entry shall thereafter be made on either of the documents of title except one affecting the common property.

(3) Upon the opening of a book of the strata register in respect of a subdivided building or land there shall, by the operation of this section, come into existence a management corporation consisting of all the parcel proprietors including in the case of phased development, the proprietor of the provisional block or blocks and the Director shall issue a certificate certifying the establishment of the management corporation as a body corporate constituted under this Act on the day the book of strata register is opened.

(4) The management corporation existed by virtue of subsection (3) shall be known by the name appearing in the book of the strata register relating to a subdivided building or land, and shall be a body corporate, having perpetual succession and a common seal and which may sue and be sued.

(5) In the case where a certificate certifying the establishment of the management corporation was not issued during the opening of a strata book, the management corporation may apply to the Director for a certificate certifying that the management corporation has been established in Form 9.

Limited common property and subsidiary management corporations allowed

17A. (1) The management corporation may designate limited common property and create one or more subsidiary management corporations only for the purpose of representing the different interests of parcel proprietors by way of comprehensive resolution conducted under the Strata Management Act 2013.

(2) Limited common property designated by a comprehensive resolution passed by the management corporation shall—

- (a) describe, identify or define the boundaries or area of the limited common property in the special plan prepared by a land surveyor;
- (b) specifies each parcel comprised in that special plan whose proprietors are entitled to the exclusive benefit of the limited common property; and
- (c) conform with any other details as may be determined by the Director of Survey.

(3) The management corporation shall make an application in Form 9 for the approval of the Director for the issue of certificate of subsidiary

management corporation for the designated limited common property and shall be accompanied by—

- (a) such fee as may be prescribed;
- (b) a copy of the comprehensive resolution together with a certificate signed by the Commissioner certifying the receipt of the same filed with him by the management corporation; and
- (c) a special plan prepared under subsection (2), as approved by comprehensive resolution.

(4) Upon receipt of the application, the Director shall then refer the application to the Director of Survey and the Director of Survey shall thereupon check the special plan and shall—

- (a) advise the Director as to whether the plans are in order; and
- (b) notify the Director of the amount of fees to be collected in respect of such work been done.

(5) The Director shall thereupon if he is satisfied that the application and the other documents presented therewith are in order, accept and issue a certificate certifying that the subsidiary management corporation is a body corporate constituted under this Act on the day specified in the certificate.

(6) The subsidiary management corporation may sue and be sued.

Ownership of common property and custody of issue document of title

17B. (1) The management corporation shall become the proprietor of the common property and the custodian of the issue document of title of the lot.

(2) Subject to subsection (3), the management corporation shall, in relation to the common property, have the powers conferred by the National Land Code on a proprietor in relation to its land.

(3) The management corporation—

- (a) shall exercise all the powers referred to in subsection (2) only on the authority of a unanimous resolution (except where it is specifically provided otherwise in this Act); and
- (b) shall not have the power to transfer, charge or lien any portion of the common property which forms part of the building or of the land on which the building stands.

(4) Where an instrument is executed by the management corporation in the exercise of its powers under subsection (2), the instrument shall be accompanied by a document under the seal of the management corporation stating that—

- (a) the resolution directing the transaction to which the instrument relates was passed; and
- (b) the transaction conforms to the terms of the resolution.

(5) The instrument executed under subsection (4) shall, in favour of the Registrar or a party to the transaction other than the management corporation, be conclusive evidence of the facts certified.

Share units of parcels

18. Every parcel shall have a share value as approved by the Director and expressed in whole numbers to be known as share units.

Provisional share units of a provisional block

19. Every provisional block shall have a share value as approved by the Director, which shall be expressed in whole numbers and taken as provisional share units.

19A. (*Deleted by Act A1518*).

PART IV

PROVISIONAL BLOCK: ISSUANCE OF STRATA TITLES

Circumstances in which it is compulsory for a proprietor of provisional strata title to apply for strata title

20. (1) The proprietor of provisional strata title shall, within the period specified in subsections (2) and (3), apply in accordance with subsections 20A(1) and 20B(1) for the subdivision of the building or land capable of being issued with strata titles, if at any time he has sold or agreed to sell any parcel in such building or land to any person.

(2) The period within which the requirement of subsection (1) shall be complied with is as follows:

- (a) in the case where the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreement takes place and the document that certifies the super structure stage is issued after the commencement of this Act, the period is three months from the date of the issuance of the document that certifies the super structure stage;
- (b) in the case where the building is completed after the commencement of this Act and the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreement took place before the commencement of this Act, the period is three months from the date of the issuance of the certificate of completion and compliance;
- (c) in the case where the building was completed and the sale of, or agreement to sell, any parcel of the building or the first of such sales or agreement took place before the commencement of this Act, the period is three months from the date of the commencement of this Act;

- (d) in the case where the building was completed before the commencement of this Act and the sales of, or agreement to sell, any parcel of the building or the first of such sales or agreement takes place after the commencement of this Act, the period is three months from the date the sales of, or agreement to sell, any parcel of the building or the first of such sales or agreement takes place.

(3) Where the proprietor of provisional strata title has not sold or agreed to sell any parcel in such building or land to any person and such building or land has been issued with certificate of completion and compliance or certificate of fitness for occupation, the proprietor of provisional strata title shall—

- (a) in the case where the certificate of completion and compliance or certificate of fitness for occupation is issued after the commencement of this Act, apply for the issuance of the certificate of proposed strata plan to the Director of Survey within three months from the issuance of the certificate of completion and compliance or certificate of fitness for occupation;
- (b) in the case where the certificate of completion and compliance or certificate of fitness for occupation was issued before the commencement of this Act, the proprietor of provisional strata title shall, within three months from the commencement of this Act, apply for the issuance of the certificate of proposed strata plan to the Director of Survey.

(4) The proprietor of provisional strata title of the building or land which had been issued with the certificate of proposed strata plan under subsection 20A(8), shall apply for the subdivision under subsection 20B(1) within the period of one month from the date of the issuance of the certificate of proposed strata plan.

(5) The period specified in subsections (2) and (3) may, on an application made before its expiry, be extended once by the Director of Survey for any further period not exceeding one month.

(6) The period specified in subsection (4) may, on an application made before its expiry, be extended once by the Director for any further period not exceeding one month.

(7) The application for the approval of the Director shall be treated as not being in accordance with subsection (1) if the application is defective by reason of any material noncompliance with any of the requirements of subsection 20B(1) pertaining to the application.

(8) Where an application is not made within the period specified in subsections (2), (3) and (4) or within the extended period granted under subsection (5) or (6) in respect of a building or land, the original proprietor shall be guilty of an offence.

(9) The proprietor of provisional strata title who commits any offence under subsection (7) or (8) shall, on conviction, be liable to a fine of not less than ten thousand ringgit but not more than one hundred thousand ringgit or to imprisonment for a term not exceeding three years or to both and, in the case of a continuing offence, to a further fine of not less than one hundred ringgit but not more than one thousand ringgit for every day during which the offence continues to be committed.

Application for certificate of proposed strata plan

20A. (1) The proprietor of the provisional strata title shall, as soon as a building or land is capable of being issued with strata titles, make an application for the approval of the Director of Survey for the issuance of the certificate of proposed strata plan to the parcels within a period of three months from the issuance of the certificate and shall submit a proposed strata plan to the Director of Survey by submitting Form 10 together with the following:

- (a) fees of such survey carried out or caused to be carried out under subsection (8) as determined by the Director of Survey;
- (b) except in a case falling under paragraph (c), the original copy of the building plans approved by the local planning authority;

- (c) if the original copy of the building plans approved by the local planning authority are not available, the application under this subsection shall be accompanied by—
 - (i) plans of the building, certified by a Professional Architect or by a land surveyor as having been drawn according to the actual features of the building and as truly representing those features; and
 - (ii) a certification by a duly authorized officer of the appropriate local planning authority that the building as represented by the plans mentioned in subparagraph (i) was erected with planning permission but the plans and specifications by reference to which that permission was given are no longer available, and that the local planning authority is nevertheless satisfied that the building as so represented satisfies planning requirements;
- (d) a proposed strata plan comprising a location plan, storey plan and delineation plan, containing such details as are specified in subsections (2), (3), (4), (5), (6) and (7) respectively and certified by a land surveyor as follows:
 - (i) that he has made a comparison of the plans to the approved building plans prepared by a Professional Architect registered under the Architects Act 1967 [Act 117] or a Professional Engineer registered under the Registration of Engineers Act 1967 [Act 138] responsible for its construction, or, in a case falling under paragraph (c), to the building plans which have been drawn and certified by the Professional Architect or by the land surveyor;
 - (ii) in the case of a storey plan, that the boundaries of the parcels shown thereon follow the features of permanent construction appearing in the building;

- (iii) that the building or buildings are situated wholly within the boundaries of the lot in question, but discounting any eave, awning, and any balcony not forming part of a proposed parcel, which projects over a road reserve, to which there subsists a permit or permits issued under section 75A of the National Land Code in respect of every such eave, awning and balcony;
- (iv) that each of the proposed parcels has—
 - (A) an adequate means of access not passing through another parcel; and
 - (B) an adequate means of internal communication not passing through the common property; and
- (v) that it has been certified by a land surveyor that the position of each provisional block as delineated on the location plan is wholly within the boundaries of the lot in question;
- (e) in the case of any building or land parcels for the erection of which planning permission was required, a certification by the Professional Architect or by the Professional Engineer referred to in subparagraph (d)(i) that the building was constructed in accordance with the plans and specifications by reference to which that permission was given, and the plans and specifications stating the date on which such permission was given and the reference number, if any;
- (f) a certified copy of the provisional strata title;
- (g) a certified copy of the document that certifies the super structure stage, as the case may be;
- (h) a certified copy of the schedule of parcels and amended schedule of parcels, as the case may be; and

- (i) a certified copy of the certificate of completion and compliance or certificate of fitness for occupancy, as the case may be.

(1A) Notwithstanding subsection (1), the Director of Survey, in approving the application for the certificate of proposed strata plan—

- (a) of a special building; or
- (b) in any other circumstances where he deems fit,

may give exemption to the documents in paragraphs (1)(e) and (i) or require any other documents together with the application.

(2) For the purpose of subdivision under subsection 6(1A), the proposed strata plan shall comprise a location plan and a delineation plan, and in the case of subdivision of land with shared basement, includes a storey plan showing the proposed accessory parcels and common property.

(3) Every location plan shall—

- (a) specify the lot number, the title number of the land comprised therein and the area thereof;
- (b) delineate the boundaries and boundary marks of the lot and the position of all buildings thereon, showing which of these buildings are to be subdivided and in the case of an application for subdivision of land into land parcels, delineate the boundaries and boundary marks of the lot and the parcels showing the position of all the buildings thereon;
- (c) in the case of subdivision of building, and subdivision of land into land parcels with shared basement, include a vertical section of each such building or the shared basement as the case may be showing—
 - (i) the floor and ceiling of each storey; and
 - (ii) the height of each storey; and

- (d) contain such other details as may be determined by the Director of Survey.
- (4) Every storey plan shall—
- (a) specify the lot number and the title number of the land comprised therein, and the building and numbered storey thereof to which the plan relates;
 - (b) delineate, subject to the provisions of paragraphs (7)(a) and (b), each proposed parcel and define the boundaries thereof by reference to floors and walls showing the horizontal dimensions, without it being necessary to show the bearing;
 - (c) indicate in respect of each such parcel the number by which it is described in the proposed strata plan;
 - (d) specify the floor area of each parcel;
 - (e) distinguish such parts as are not to be included in any of the parcels but are to become part of the common property; and
 - (f) contain such other details as may be determined by the Director of Survey.
- (5) Every delineation plan shall—
- (a) specify the lot number and the title number of the land comprised therein, and the land parcel to which the plan relates;
 - (b) delineate each proposed land parcel by reference to the lot boundary showing the bearing and distance of each boundary;
 - (c) indicate in respect of each such land parcel the number by which it is described in the proposed strata plan;
 - (d) specify the area of each land parcel;

- (e) distinguish such parts as are not to be included in any of the land parcels but are to become part of the common property; and
 - (f) contain such other details as may be determined by the Director of Survey.
- (6) Every proposed strata plan shall—
 - (a) show a legend of—
 - (i) all parcels;
 - (ii) all common property; and
 - (iii) all accessory parcels, and specify therein the parcels they are made appurtenant to, irrespective of whether the accessory parcels are contiguous to those specified parcels; and
 - (b) contain such other particulars as may be determined by the Director of Survey.
- (7) Where an accessory parcel—
 - (a) consists of a building or parts thereof and is bounded by external walls, floors and ceilings, the dimensions and boundaries of such accessory parcel shall be shown in the proposed strata plan in accordance with the requirements of subsections (3), (4) and (5);
 - (b) does not consist of a building or parts thereof—
 - (i) the external boundaries of the accessory parcel shall be ascertained from the building plans approved by the planning authority, and the accessory parcel shall be up to a reasonable height or to the extent of any projection above or encroachment below ground level by another part of the lot; and

- (ii) the proposed strata plan shall show a diagram of the accessory parcel with similar dimensions as those shown on the approved plans mentioned in subparagraph (i).

(8) The Director of Survey shall thereupon check the location plan, storey plans and delineation plans, whichever is applicable, carry out or cause to be carried out such survey of the land, any of the buildings thereon or any of the parcels, and shall—

- (a) issue a certificate of the proposed strata plan to the applicant if he is satisfied that the plans are in order;
- (b) issue a copy of that certificate to the Land Administrator for the purpose of section 20B; and
- (c) notify the Land Administrator of the amount of fees to be collected in respect of the plans caused to be prepared in the event of the approval of the application.

(9) For the purpose of subdivision under subsection 6(1A), the proposed strata plan shall comprise a location plan and a delineation plan, and in the case of a shared basement, includes a storey plan showing the proposed parcels and common property.

Application for subdivision of building, etc.

20B. (1) The proprietor of provisional strata title shall make an application for approval to the Director within one month from the issuance of the certificate of proposed strata plan using Form 5 to the Land Administrator and shall be accompanied by—

- (a) such fees as may be prescribed;
- (b) such fees as so notified by the Director of Survey under paragraph 20A(8)(c);
- (c) a certificate of the proposed strata plan;

- (d) the issue document of provisional strata title;
- (e) a certified copy of the certificate of completion and compliance or certificate of fitness for occupancy, as the case may be, except—
 - (i) in the case under paragraph 20(2)(a);
 - (ii) when the building is classified as special building and the certified copy of the certificate of completion and compliance or certificate of fitness for occupancy is not available; or
 - (iii) in any other cases where the Land Administrator is satisfied that the certified copy of the certificate of completion and compliance or certificate of fitness for occupancy may be exempted; and
- (f) a certified copy of the schedule of parcels or amended schedule of parcels, as the case may be, except in the case under paragraphs 20(2)(b) and (c).

(2) Upon receipt of an application under subsection (1), the Land Administrator shall endorse or cause to be endorsed, a note of the making thereof on the register document of provisional strata title.

(3) The Land Administrator shall thereupon if he is satisfied that the application and other documents presented therewith are in order, transmit them to the Director together with his recommendation for approval or rejection.

Power of Director of Lands and Mines in relation to application

21. (1) On receiving an application made under section 20B, the Director shall—

- (a) approve the subdivision if it appears to him that the conditions specified in section 10 are satisfied; or

(b) in any other case, reject the application.

(2) Where he has approved an application for subdivision of building or land, the Director shall—

(a) request the Director of Survey to prepare or cause to be prepared a certified strata plan; and

(b) notify the Land Administrator of the approval and direct him to collect from the proprietor, fees as notified by the Director of Survey under paragraph 20A(8)(c) and fees for the preparation and registration of strata titles as may be prescribed under any written law.

(3) Where he has rejected an application for subdivision of building or land, the Director shall—

(a) notify the Land Administrator who shall forthwith inform the proprietor and shall cancel or cause to be cancelled the note thereof endorsed on the register document of provisional strata title under subsection 20B(2); and

(b) refund all fees for the preparation and registration of strata titles.

Action by Director of Survey after approval

22. Upon receipt of the application and the accompanying documents from the Director and upon being informed by the Land Administrator that the survey fees referred to in paragraph 21(2)(b) have been duly paid, the Director of Survey shall take such action as specified in section 13 in respect of—

(a) the preparation of a new certified strata plan incorporating the changes made to the original certified strata plan by the storey plan referred to in paragraph 20A(1)(d), for filing in his office in place of the original certified strata plan; and

- (b) the preparation of a copy of the new certified strata plan for retention by the Registrar and additional copies thereof for attaching to the issue documents of title of the new parcels,

and shall transmit them to the Director the copies so prepared, together with the application and other accompanying documents.

22A. *(Deleted by Act A1450).*

22B. *(Deleted by Act A1450).*

Modification of strata register, issue of fresh documents of title and cancellation of provisional document of title

23. (1) Upon receiving from the Director of Survey the copies of the new certified strata plan and the other accompanying documents and upon being informed by the Land Administrator that the fees for preparation and registration of strata titles have been paid, the Director shall direct the Registrar to take action as specified in subsection (2).

(2) On being directed by the Director, the Registrar shall—

- (a) replace the copy of the original certified strata plan in the relevant book of the strata register with the copy of the new certified strata plan prepared for his retention;
- (b) amend the schedule of share units of the parcels and make such other alterations in the relevant book of the strata register as are necessary to take account of the changes as a result of the completion of the building;
- (c) prepare, register and issue in accordance with section 16, strata titles in respect of the new parcels;
- (d) endorse on the register document of title in respect of the former provisional block a statement to the effect that strata

titles (specifying the title numbers thereof) have been issued to the new parcels in the completed building; and

- (e) destroy the issue document of provisional strata title.

PART IVA

COLLECTION OF RENT

Interpretation

23A. In this Part, unless the context otherwise requires—

“existing documents of strata titles” means any documents of strata title registered and issued before the coming into operation of section 4c;

“existing issue document of title of the lot” means any existing issue document of title of the lot issued before the coming into operation of section 4c;

“existing issue document of strata title” means existing issue document of strata title issued before the coming into operation of section 4c.

Rent to be debt due to State Authority

23B. The rent payable in respect of each parcel or provisional block is a debt due to the State Authority and, without prejudice to the provisions of this Act relating to forfeiture of the parcel or provisional block for non-payment thereof, may be recoverable by action brought pursuant to section 16 of the National Land Code.

Determination and computation of rent

23c. (1) Upon the coming into operation of section 4c—

- (a) the Land Administrator shall determine the amount of rent; and
- (b) the Registrar shall—
 - (i) make a memorial on the register and issue documents of titles to the lot, the date that the rent of the lot ceased to be effective and rent of parcel or provisional block comes into operation, notwithstanding anything contained in the title of the lot; and
 - (ii) endorse on the documents of strata titles with the amount of rent.

(2) The Registrar shall make a memorial or an endorsement to the existing issue document of title of the lot and the existing issue document of strata title pursuant to subparagraph (b)(i) or (ii) when those titles are produced to him.

(3) The rent reserved in respect of parcel or provisional block shall become payable from the beginning of the calendar year.

(4) In relation to the existing documents of strata titles, the rent of parcel or provisional block becomes payable from the beginning of the calendar year.

(5) In relation to the documents of strata titles registered after the coming into operation of section 4c, the rent becomes payable from the beginning of the calendar year next following.

(6) The rent payable in relation to any calendar year shall fall due in full on the first day of that year and, if not sooner paid, shall be treated for the purpose of this Act as becoming in arrears on the first day of June in that year.

(7) For the purpose of subsection (6), subsection 94(2) of the National Land Code and the modification as stated in paragraph 1 of the Twelfth Schedule to the National Land Code shall be applicable.

(8) For the purpose of paragraph (1)(a), the rent of parcel or provisional block—

- (a) shall be computed on the basis of a rate per square metre for each parcel, or parcel and accessory parcel, or provisional block, as the case may be; and
- (b) the arrears of rent of the lot may be—
 - (i) included in proportion to the share units and provisional share units; or
 - (ii) recoverable by any other manner prescribed.

(9) Where the rent computed in relation to any parcel or provisional block is or includes a fraction of a ringgit, it shall be rounded up to one ringgit or to the nearest ringgit above the amount so computed, as the case may be.

(10) The provisions of this section shall have effect subject to any remission or rebate of rent granted or allowed pursuant to rules made under paragraph 81(1)(aa) and to any authorization granted for the payment by installments or deferment of payment of any rent.

Where rent payable

23d. The rent payable in relation to parcel or provisional block shall be paid by or on behalf of the proprietor at—

- (a) the office of the Land Administrator or at any other place which the Land Administrator may deem fit; or
- (b) such other places as prescribed or through any person or body as approved by the State Authority.

Notice of demand

23E. (1) Where any rent payable in relation to any parcel or provisional block is in arrear, the Land Administrator may cause to be served on the proprietor thereof a notice of demand in Form 11.

(2) As soon as Form 11 is served on the proprietor, the Land Administrator shall cause to be served on every chargee, lessee, sublessee, tenant, lien-holder, caveator and easement holder, a copy of Form 11.

(3) A note of the service of Form 11 under subsection (1) shall be endorsed by or at the instance of the Land Administrator, on the register document of title to the parcel or provisional block to which the notice relates.

Right of chargees, lessees, etc., to pay sum demanded

23F. (1) The sum demanded in Form 11 may be paid to the Land Administrator within the time specified in Form 11 by any of the following persons or bodies in addition to the proprietor:

- (a) any chargee, person or body having a registered interest affecting the parcel or provisional block (including a charge of any lease or sublease thereof);
- (b) any person or body having a lien over the parcel or provisional block, or over any lease or sublease thereof;
- (c) any person or body in occupation of any part thereof under any tenancy exempt from registration which has become protected by an endorsement on the register document of title to the parcel or provisional block under section 317 of the National Land Code; and
- (d) any person or body having a claim protected by caveat affecting the parcel or provisional block or any interest therein.

(2) Any sum paid by a chargee pursuant to subsection (1) shall be added to, and deemed for all the purposes of this Act to form part of, the first payment thereafter falling due to him under the charge.

(3) Any sum so paid by any other person or body referred to in subsection (1)—

(a) shall be recoverable from the proprietor by civil action; and

(b) may, if paid by a lessee, sublessee or tenant, be recovered alternatively by deduction from any rent then or thereafter payable to him under the lease, sublease or tenancy.

(4) Any lessee, sublessee or tenant who incurs any additional liability, or suffers any deduction, under this section may recover the amount thereof either by civil action against the proprietor or by deduction from any rent then or thereafter payable by him under his lease, sublease or tenancy.

Effect of payment of sum demanded

23G. If the whole of the sum demanded in Form 11 is paid to the Land Administrator within the time specified therein, the notice shall cease to have effect, and the Land Administrator shall cancel, or cause to be cancelled, the note endorsed pursuant to subsection 23E(3) on the register document of title to the parcel or provisional block to which the notice relates.

Forfeiture for non-payment of sum demanded

23H. (1) The Land Administrator shall not during the period specified in Form 11 accept any payment by or on behalf of any person or body of a lesser amount than the sum thereby demanded.

(2) The Land Administrator shall, at the expiration of the period stated in Form 11 the whole of that sum has not been paid to him, by order—

- (a) declare the parcel or provisional block to be forfeited to the State Authority; and
- (b) vested and registered in the name of any statutory authority as prescribed to hold the parcel or provisional block on behalf, and for the benefit, of the State Authority.

Power of State Authority to revise rent periodically

23i. (1) Subject to subsection (5), the State Authority may from time to time revise in accordance with provisions of this section the rent payable in respect of parcel or provisional block within the State.

(2) Any revision of rent under this section shall extend to all parcel or provisional block within the State except parcel or provisional block of any classes or description which the State Authority may think fit to exempt.

(3) On any revision of rent under this section, the State Authority may—

- (a) increase or reduce by the same proportion the rent payable in relation to all parcel or provisional block to which the revision extends; or
- (b) make different provisions for different classes or descriptions of such parcel or provisional block, either—
 - (i) provision for increasing or reducing rent by the same proportion, or
 - (ii) provision imposing a new rate of rent thereon.

(4) In the exercise of the powers conferred by this section, the State Authority shall take no account of increases in parcel or provisional block values attributable due to improvements.

(5) Any revision of rent under this section shall be made at such time as the State Authority may, with the approval of the National Land Council, determine, but—

(a) on the first revision, it shall—

- (i) have effect not less than ten years after the coming into operation of this Part; and
- (ii) be made together with the revision of rent under section 101 of the National Land Code; and

(b) any subsequent revision shall—

- (i) have effect of not less than ten years after the last revision of the rent; and
- (ii) be made together with revision of rent under section 101 of the National Land Code.

(6) Where a revision of rent has been made under this section, the Registrar or Land Administrator shall, as soon as possible—

- (a) amend the amount of rent endorsed on the document of title to, and payable in respect of, parcel or provisional block affected by the revision by substituting the revised rent for that amount; and
- (b) note the date of making the amendment and the authority therefor and authenticate the same under his hand and seal.

Effect of termination of subdivision

23j. In relation to the memorial made pursuant to subsection 57(2), the Registrar shall make a memorial on the register and issue documents of title to the lot, the date on which the rent of the lot comes into operation the next following calendar year at the recent revision pursuant to section 101 of the National Land Code.

PART IVB

FORFEITURE AND VESTING

Interpretation

23K. In this Part, unless the context otherwise requires—

“transferee” means statutory authority prescribed to be registered as new proprietor by way of vesting to hold the parcel or provisional block on behalf, and for the benefit, of the State Authority;

“former proprietor” means a person who, or a body which, immediately before the reversion of a parcel or provisional block to the State Authority is the proprietor of a parcel or provisional block.

Reversion to State Authority and vesting to take effect upon notification in the *Gazette*

23L. (1) The Land Administrator shall, after making of an order under section 23H of this Act or section 129 of the National Land Code in relation to any parcel or provisional block, publish in the *Gazette* a notification in Form 12.

(2) The Land Administrator shall, as soon as possible, after the publication of Form 12 in the *Gazette*—

- (a) cause a copy of the notification under subsection (1) to be sent to the management corporation; and
- (b) publish the notification in accordance with section 433 of the National Land Code.

(3) The Registrar shall, after the publication in paragraph (2)(b), make a memorial to the effect that the parcel or provisional block has been forfeited and vested in the transferee on the register document of title and issue document of title.

Effect of forfeiture

23M. Upon taking into effect of any forfeiture in relation to any parcel or provisional block under this Part—

- (a) the parcel or provisional block shall revert and vest in the transferee, freed and discharged from any interest subsisting or capable of arising immediately before the forfeiture took effect;
- (b) the Land Administrator, by notice in the *Gazette* in Form 12, declares that the parcel or provisional block which reverts to the State Authority shall vest and be registered in the name of the transferee to hold the same on behalf, and for the benefit, of the State Authority;
- (c) there shall also vest in the transferee without any arrears relating to management fund, debt and any other outstanding payment payable under the Strata Management Act 2013 that is liable to the former proprietor;
- (d) there shall vest in the transferee, without payment of compensation, any parcel or provisional block then existing on the land; and
- (e) any item of land revenue then due to the State Authority in relation to the parcel or provisional block shall be extinguished.

Parcel or provisional block not to be transferred during period for appeal against forfeiture

23N. (1) Where any parcel or provisional block has reverted and vested to the transferee by reason of the taking into effect of any forfeiture under this Part, the transferee shall not effect dealings permitted under Division IV of the National Land Code at any time before—

- (a) the expiry of the period of three months under section 418 of the National Land Code which an appeal lies to the court against the order of the Land Administrator under section 23H of this Act or section 129 of the National Land Code; or
- (b) the determination of the appeal and of any proceedings consequent thereon (if such an appeal is lodged during that period).

(2) The provision of subsection (1) shall be without prejudice to the power of the State Authority under section 23o to annul the forfeiture at any time on a petition by the former proprietor immediately before the forfeiture took effect.

Power of State Authority to annul forfeiture, etc.

23o. (1) Any former proprietor immediately before the forfeiture under this Part may at any time apply by a petition to the State Authority to annul the forfeiture.

(2) The State Authority may in its absolute discretion refuse or allow any petition under this section, and if the State Authority allows the petition, may do so conditionally upon payment by the petitioner—

- (a) if the forfeiture involving a non-payment of rent—
 - (i) all the sums now due which was required to be paid by the notice of demand served under section 23E of this Act;
 - (ii) such penalty, not exceeding six times the sum which was required to be paid under subparagraph (i), as the State Authority may think fit to impose; and
 - (iii) such other sums paid by the transferee upon taking effect of forfeiture pursuant to subsection 23L(3);

- (b) if the forfeiture involving a breach of condition, the State Authority may determine the amount in respect of the expenses occasioned by the forfeiture; and
- (c) all sums as mentioned in paragraphs (a) or (b) shall be paid within one month beginning from the date on which it was communicated.

(3) Where the petitioner fails to settle the amount which was required to be paid under paragraph (2)(c), the allowance of the petition for the annulment of the forfeiture shall be null and void.

(4) Upon payment of all sums specified under paragraph (2)(c), the Registrar shall make a memorial to effect the vesting of the parcel or provisional block to the petitioner on the register and issue documents of title.

Appeal against forfeiture

23P. (1) The validity of any forfeiture under this Part shall not be challenged in any court except by means of, or in proceedings consequent upon, an appeal under section 418 of the National Land Code against the order of the Land Administrator under section 23H of this Act or section 129 of the National Land Code, and notwithstanding anything in any other written law, no appeal shall be commenced after the expiry of the period of three months allowed under section 418 of the National Land Code.

(2) No order of the Land Administrator under section 23H of this Act or section 129 of the National Land Code shall be set aside by any court except upon the grounds of its having been made contrary to the provisions of this Part, or of there having been a failure on the part of the Land Administrator to comply with the requirements of any such provision, and no such order shall be set aside by reason only of any irregularity in the form or service of any notice under Part IVA and this Part unless, in the opinion of the court, the irregularity was of a significant nature.

(3) In any appeal or other proceedings as mentioned in subsection (1), it shall be presumed until the contrary is proven that all notices required to be served under Part IV_A and this Part were duly and regularly served.

(4) The provisions of subsection (1) shall not affect the right of any person or body to bring an action for damages against the State Authority, or (subject to section 22 of the National Land Code), against any officer appointed by the State Authority, in respect of any act or thing wrongfully done, or ordered to be done or omitted to be done, in connection with any forfeiture under this Part.

PART V

SUBDIVIDED BUILDINGS OR LAND: DIVISION AND AMALGAMATION OF PARCELS

Interpretation

24. In this Part, unless the context otherwise requires, the words—

“affected”, in relation to a parcel, means affected or intended to be affected by a division or amalgamation;

“amalgamation” means an amalgamation of parcels;

“application” means an application to divide or amalgamate parcels;

“division” means a division of a parcel;

“new”, in relation to a parcel, means resulting or intended to result from a division or amalgamation.

Power to divide and amalgamate parcels

25. (1) A parcel proprietor may, with the approval of the Director—

- (a) divide his parcel into two or more new parcels, each to be held by him under a separate strata title; or
- (b) where he holds two or more contiguous parcels, amalgamate them to form one parcel to be held by him under a single strata title.

(1A) No application under subsection (1) shall be made unless—

- (a) in relation to the division of a parcel, the express conditions for the new parcels are not contrary to the express conditions of the affected parcel; or
- (b) in relation to amalgamation of parcels—
 - (i) the express conditions for the affected parcels are not contrary with one another; and
 - (ii) the express conditions for the new parcel are not contrary to the express condition of the affected parcels.

(2) For the purposes of paragraph (1)(b) any two or more parcels shall be taken to be contiguous if each of them shares at least one boundary, including a boundary which consists of a floor or ceiling, with another of them.

(3) Where the division of a parcel or the amalgamation of two or more parcels results in the creation of any additional or new common property, the proprietor shall obtain the written consent of the management corporation and the approval from the relevant authorities before making the application under section 28 for the approval of the Director.

Effect of division or amalgamation

26. (1) On a division, the number of share units of each parcel shall be a whole number allotted by the proprietor of the divided parcel as approved by the Director:

Provided that the total number of share units of all the new parcels shall be equal to the number of share units of the divided parcel.

(2) On an amalgamation, the number of share units of the new parcel shall be a number equal to the total number of share units of the amalgamated parcels.

(3) Subject to subsections (1) and (2), the Strata Management Act 2013 shall apply in relation to a new parcel in a subdivided building or land as if the new parcel were one of the parcels which came into existence when the building or land was subdivided.

Conditions for approval of division or amalgamation

27. The Director shall not approve a division or amalgamation unless the following conditions are satisfied:

- (a) that the proposed division or amalgamation would not contravene any restriction in interest to which any of the affected parcels is subject;
- (b) that the proposed division or amalgamation would not be contrary to the provisions of any written law for the time being in force, and that any requirements imposed with respect to the division or amalgamation by or under any such law have been complied with;
- (c) that no item of land revenue is outstanding in respect of any affected parcel;
- (d) that consent in writing to the making of the application has been obtained from every person who at the time when the approval was applied for, was entitled to the benefit of—
 - (i) a charge of an affected parcel;
 - (ii) a lease of an affected parcel or any part thereof, other than, in the case of a division, a part corresponding

precisely with or included within one of the new parcels;

(iii) a charge of such a lease; or

(iv) a lien over an affected parcel or such a lease;

(da) that, where the division or amalgamation results in the creation of additional common property or new common property, the written consent of the management corporation and the approval from the relevant authorities to the making of the application has been obtained;

(e) that where an amalgamation is proposed, each new parcel will have adequate internal means of communication not passing through common property;

(f) that, where a division is proposed, each new parcel will have adequate means of access not passing through another parcel; and

(g) that the proposed share units assigned to the new parcels by the proprietor in his application in Form 6 are equitable.

Application for approval

28. (1) Any application for the approval of the Director to a division or an amalgamation shall be made in writing in Form 6 or 7, as the case may be, to the Land Administrator and shall be accompanied by—

(a) such fee as may be prescribed;

(b) a plan in triplicate, duly certified by a land surveyor and showing all the details of the division or amalgamation;

(c) a statement from the applicant of the number of share units of the new parcel or parcels;

- (d) all such written consents to the making of the application as are required under paragraph 27(d);
 - (da) the written consent of the management corporation and the approval from the relevant authorities to the making of the application as required under paragraph 27(da); and
 - (e) the issue documents of title of the affected parcel or parcels.
- (2) Upon receiving any application, the Land Administrator shall—
- (a) endorse or cause to be endorsed a note of the making of the application on the register document of title to each affected parcel; and
 - (b) refer the application to the Director of Survey and transmit to him a copy of the plan submitted under subsection (1).

Action by Director of Survey

29. The Director of Survey shall, upon receiving a copy of the plan transmitted by the Land Administrator, check the said plan and carry out or cause to be carried out such survey of the affected parcel or parcels as he may consider desirable and advise the Land Administrator as to whether the plans are in order and notify him of the amount of fees to be collected upon approval in respect of such survey and for the preparation of plans.

Lands Administrator to transmit application to Director of Land and Mines

30. Upon receiving the advice of the Director of Survey, the Land Administrator shall transmit to the Director, the application and its accompanying documents together with his recommendations.

Power of Director of Lands and Mines in relation to application for division or amalgamation

31. (1) The Director, upon receiving the application and its accompanying documents from the Land Administrator, shall—

- (a) approve the division or amalgamation to which the plan relates if it appears to him that the conditions specified in section 27 are satisfied; and
- (b) in any other case, reject the application.

(2) Where the Director has rejected an application, he shall notify the Land Administrator who shall forthwith inform the proprietor and shall cancel or cause to be cancelled the note thereof endorsed on the register document of title under paragraph 28(2)(a).

(3) Where the Director has approved a division or an amalgamation, he shall—

- (a) transmit to the Director of Survey the application and other accompanying documents; and
- (b) notify the Land Administrator of the approval and direct him to collect from the proprietor, fees as notified by the Director of Survey under section 29, and fees for the preparation and registration of strata titles.

Preparation of new certified strata plan by Director of Survey

32. The Director of Survey shall, upon receiving the approved application and other accompanying documents, and upon being informed by the Land Administrator that the amount demanded in respect of his fees has been duly paid, take such action as specified in section 13 in respect of—

- (a) preparation of a new certified strata plan incorporating the changes made by the division or amalgamation, for filing in his office in place of the original certified strata plan; and
- (b) preparation of a copy of the new certified strata plan for retention by the Registrar and additional copies thereof for attaching to the issue documents of title,

and shall transmit to the Director, the copies so prepared, together with the application and other accompanying documents.

Modification of strata register and issue of fresh documents of title

33. (1) Upon receiving from the Director of Survey the copies of the new certified strata plan and other accompanying documents, and upon being informed by the Land Administrator that the fees in respect of the preparation and registration of strata title to the new parcel or parcels have been duly paid, the Director shall direct the Registrar to take action as specified in subsection (2).

- (2) On being directed by the Director, the Registrar shall—
 - (a) replace the copy of the original certified strata plan in the relevant book of the strata register with the copy of the new certified strata plan prepared for his retention;
 - (b) amend the schedule of share units of the parcels and make such other alterations in the relevant book of the strata register as are necessary to take account of the changes made by the division or amalgamation; and
 - (c) issue title in continuation to the new parcel or parcels as if he were issuing title in continuation to land subdivided or amalgamated under Chapter 1 or 3 of Part Nine of the National Land Code.

Effect of registration in respect of common property created upon division or amalgamation

33A. Upon the registration of the strata title or titles to the new parcel or parcels upon the division or amalgamation, the parts of any parcel which are created as common property shall be deemed to form part of the common property in relation to all the parcels comprise within the subdivided building or land.

PART VI

RIGHTS AND OBLIGATIONS ATTACHING TO INDIVIDUAL
PARCELS AND PROVISIONAL BLOCKS**Rights of proprietor in his parcel and common property**

34. (1) Subject to this section and other provisions of this Act, a proprietor shall have—

- (a) in relation to his parcel (in the case of a parcel proprietor), the powers conferred by the National Land Code on a proprietor in relation to his land; and
- (b) in relation to the common property, the right of user which he would have if he and the other proprietors were co-proprietors thereof.

(2) No rights in an accessory parcel shall be dealt with or disposed of independently of the parcel to which such accessory parcel has been made appurtenant.

(3) No rights in the common property shall be disposed of by a proprietor except as rights appurtenant to a parcel; and any disposition of a parcel by a proprietor shall without express reference include a like disposition of the rights in the common property which are appurtenant to the parcel.

(4) A proprietor is not allowed to apply for any amendment of the express conditions on his documents of strata title.

Rights of support, service and shelter

35. (1) In favour of and against each parcel proprietor there shall be implied a right of support and a right of service.

(2) Each parcel proprietor shall be entitled to have his parcel sheltered by all such parts of the subdivided building or land as are capable of affording shelter and may, for the purpose of replacing, renewing or restoring any such shelter, enter upon the common property or any other parcel.

(3) The rights and obligations mentioned in subsections (1) and (2) shall be effective without memorial or notification in the strata register, and there shall be implied in respect of them such ancillary rights and obligations as are reasonably necessary to make them effective.

(4) In this section—

“right of support” means a right to subjacent and lateral support by the common property and by every other parcel capable of affording support;

“right of service” means rights to the passage or provision of water, sewage, drainage, gas, electricity, garbage, artificially cooled or heated air and other services (including telephone, radio and television services) through or by means of pipes, wires, cables or ducts.

Share unit entitlements

36. The value of each parcel, except in the case of an accessory parcel where no share value shall be allotted, shown in the schedule of share units shall be taken as the share unit entitlement, and in the case of a provisional block the value shall be taken as the provisional share unit entitlement. The share units of a parcel or the provisional share units in the case of a provisional block as specified in the strata title or in the provisional strata title, as the case may be, shall determine—

- (a) the voting rights of the proprietors; and
- (b) *(Deleted by Act A1450)*;
- (c) the proportion payable by each proprietor of the contribution levied by the management corporation according to the Strata Management Act 2013.

Restrictions on voting rights

37. Where a proprietor is for any reason unable to control his property, the powers of voting conferred on him by the Strata Management Act 2013 shall be exercisable by the person who is for the time being authorized by law to control that property.

Power of court where no person is able to vote in respect of a parcel

38. Where a court of competent jurisdiction on the application of the management corporation or a proprietor, is satisfied that there is no person who is able to vote in respect of a parcel, the court—

- (a) shall, in cases where a unanimous resolution is required; and
- (b) may, in any other case,

appoint a Public Trustee or some other fit and proper person to exercise such of the powers of voting attached to the parcel by the Strata Management Act 2013, as the court may determine.

PART VII

MANAGEMENT OF A SUBDIVIDED BUILDING

39—55A. *(Deleted by Act A1450).*

PART VIII

TERMINATION OF SUBDIVISION OF SUBDIVIDED
BUILDING OR LAND

Power of court when subdivided building or land is damaged

56. (1) When a subdivided building or land is damaged but is not totally destroyed, a court of competent jurisdiction on the application of the management corporation, a parcel proprietor, or a registered chargee of any parcel, may by order, settle a scheme for the reinstatement or the continued use of the building in whole or in part and any such scheme may include provision for the transfer of the interests of the proprietors of parcels which have been wholly or partially destroyed to the other parcel proprietors in proportion to their share units.

(2) In the exercise of its powers under subsection (1), the court may make such orders as it deems necessary or expedient for giving effect to the scheme, including orders—

- (a) directing the application of insurance moneys received by the management corporation in respect of damage to the building;
- (b) directing payment of money by the management corporation or by the parcel proprietors or some or one or more of them;
- (c) directing such amendment or replacement of the certified strata plan and such consequential amendment or replacement of the strata register as the court thinks fit; and
- (d) imposing such terms and conditions as the court thinks fit.

(3) Where an application is made under subsection (1), any insurer who has effected insurance on the building to which the application relates (or on any part thereof) shall have the right to appear on the hearing of the application.

Termination of subdivision

57. (1) The management corporation, where—

- (a) the building is totally destroyed; or
- (b) the parcel proprietors seek to demolish the building or, in the case of a building which has been partially destroyed, the remaining parts of the building; or
- (c) there is only one proprietor for all the parcels,

after making sure that no land revenue is outstanding may be directed by unanimous resolution to take action to terminate the subdivision of the building or land; and, subject to any order of a court of competent jurisdiction made under subsection (7), the management corporation if so directed shall lodge with the Registrar a notification in Form 8 together with the issue documents of title of the land and the parcels and of provisional blocks, if any.

(2) On receipt of a notification under subsection (1) and if the Registrar is satisfied, he shall make a memorial of the notification in the register and the strata register, and shall inform the Director of Survey that he has done so.

(3) On the making of a memorial under subsection (2) in respect of a subdivided building or land—

- (a) the subdivision shall be terminated and the proprietors shall cease to be proprietors of the parcels and provisional blocks; and
- (b) the management corporation shall become the proprietor of the lot as the trustee of the former proprietors.

(4) Where the management corporation becomes the proprietor of the lot under subsection (3)—

- (a) any registered charge on a parcel which existed immediately before the termination of the subdivision shall be converted

into a personal obligation of the chargor to pay to the chargee what is due under the charge;

- (b) each of the former proprietors shall continue to be a member of the corporation, having the same voting rights as he had immediately before the termination of the subdivision;
- (c) the management corporation shall hold and manage the lot for the benefit of the former proprietors;
- (d) the former proprietors may by unanimous resolution direct the management corporation—
 - (i) to transfer the lot to any one or more of the former proprietors or to any other person or body; and
 - (ii) to determine the reasonable period for the management corporation to continue in existence to settle its affairs; and
- (e) the management corporation shall distribute any profits arising from its proprietorship of the lot, including any purchase money received on a transfer, to the former proprietors proportionately based on the open market capital values of the parcels immediately before the termination of the subdivision ascertained in a valuation report prepared and certified by a registered valuer under the Valuers, Appraisers and Estate Agents Act 1981 [*Act 242*].

(5) Notwithstanding the termination of a subdivision under this section, the relevant book of the strata register shall continue in existence while the management corporation remains the proprietor of the lot and may be used in evidence as a record of matters relating to the subdivision before its termination.

(6) Where the management corporation, having become the proprietor of the lot under subsection (3), transfers the lot in pursuance of a direction under paragraph (4)(d)—

- (a) the management corporation shall continue in existence for so long as it is reasonably necessary to settle its affairs and shall then cease to exist;
 - (aa) informing the Registrar the date that the management corporation shall cease to exist; and
 - (b) the Registrar shall cancel the relevant book of the strata register.
- (7) A court of competent jurisdiction, if it is satisfied that the justice of the case so requires—
 - (a) may on the application of the management corporation, a parcel proprietor or the registered chargee of a parcel make an order—
 - (i) directing the management corporation to take action under subsection (1) notwithstanding the absence of a unanimous resolution; or
 - (ii) prohibiting the management corporation from taking action under subsection notwithstanding a direction given by unanimous resolution; and
 - (b) where the management corporation has transferred the lot in pursuance of a direction under paragraph (4)(d), may on the application of the management corporation, a former proprietor or a former chargee make an order for the winding up of the affairs of the management corporation.
- (8) In this section—

“former chargee” means a person who, or a body which, immediately before the subdivision of a subdivided building or land is terminated under this section, is the registered chargee of a parcel in the building or land;

“former proprietor” means a person who, or a body which, immediately before the subdivision of a subdivided building or land is terminated under this section, is the proprietor of a parcel in the building or land or of a provisional block on the land on which the building is situated.

PART VIII A

EFFECT OF ACQUISITION OF SUBDIVIDED
BUILDING OR LAND

Procedure of taking formal possession of any subdivided building or land

57A. (1) Upon taking formal possession of the whole or part of subdivided building or land under the Land Acquisition Act 1960 [*Act 486*], the Seventh Schedule shall apply in so far as they relate to the procedures for the modification of the relevant strata register, affairs of the management corporation and other purposes connected therewith.

(2) Other provisions of this Act which relate to the forms of document of strata title, the procedure for the preparation and registration of any document of strata title, shall be read with modifications, amendments, additions, deletions, substitutions or adaptations as provided in the Seventh Schedule.

(3) The Minister may, with the approval of the National Land Council, by order published in the *Gazette*, make any amendment to the Seventh Schedule.

PART IX

58—67. (*Deleted by Act A1290*).

PART IXA

STRATA TITLES BOARD

67A—67X. (*Deleted by Act A1450*).

PART X

MISCELLANEOUS

68. (*Deleted by Act A753*).

No dealing in accessory parcel independent of a parcel

69. No accessory parcel or any share or interests therein shall be dealt with independently of the parcel to which such accessory parcel has been made appurtenant as shown on the approved strata plan.

No dealing in provisional block

70. (1) No provisional block or any share or interests therein shall be dealt with.

(2) Where any dealing of a provisional block has been registered, such registration shall not pass any title or interest in the said provisional block, and the Registrar shall, upon discovery of the registration, cancel the registration and no person or body affected by such cancellation shall be entitled to any compensation.

71. (*Deleted by Act A753*).

72. (*Deleted by Act A753*).

Other rights and remedies not affected by this Act

73. Nothing in this Act shall affect any other rights or remedies which a proprietor or chargee of a parcel or a management corporation may have, in relation to any parcel or the common property, conferred by any other written law.

Jurisdiction of the Magistrate's Court

74. Any offence under this Act may be tried by a Magistrate's Court and such Magistrate's Court shall, notwithstanding the provisions of the Subordinate Courts Act 1948 [Act 92] or any other written law, have power to impose the maximum penalty provided for by this Act.

Legal proceedings

75. (1) Every application to the court under this Act shall be by summons in Chambers.

(2) Where there is provision for a sum to be recoverable by any person or any authority from any other person or authority the sum shall be recoverable by an action for debt in any court of competent jurisdiction.

76—78. (*Deleted by Act A1450*).

Limitation Act 1953 not to extend to common property

79. No action shall be brought by any person claiming title by adverse possession to the common property of a lot or to any accessory parcel or any part thereof created under this Act, and the provisions of the Limitation Act 1953 [Act 254] relating to adverse possession shall not extend to such common property and accessory parcel.

Power of entry by public or local authority

80. A public or local authority which is authorized by any written law to enter upon part of a lot for the purposes of exercising any power conferred on it, may enter upon any other part of that lot if it is necessary to do so in order to exercise that power.

Prosecution

80A. No prosecution shall be instituted for an offence under this Act or any rules made under this Act without the consent in writing of the Public Prosecutor.

Power of State Authority to make rules

81. (1) The State Authority may, by notification in the Gazette, make rules not inconsistent with this Act, and in particular but without limiting the generality of the foregoing power, in respect of all or any of the following matters:

- (a) the fees to be paid for any procedures or functions required or permitted to be done under this Act and the remission of such fees;
- (aa) the calculation of rates of rent payable in relation to any parcel or provisional block;
- (ab) the collection, remission, rebate, payment by installments, deferment of payment of rent, or any other incidental matters relating to rent of parcel or provisional block and forfeiture;
- (b) the types of buildings, or the circumstances in which buildings are, to be classified as low-cost buildings;
- (c) the types of buildings, the circumstances in which buildings are, or any other factor relating to buildings, to be classified as special building;

- (d) the formula for the proposed share units; and
- (e) any matter which by this Act is required or permitted to be prescribed or is necessary or convenient to be prescribed for carrying out or giving effect to any provisions of this Act.

(2) Rules made under subsection (1) may provide for matters which differ in their application according to such factors as are specified in the rules.

(3) Rules made under subsection (1) may prescribe a penalty for any breach or contravention thereof of a fine not exceeding one thousand ringgit.

Transitional provisions

82. (1) The State Authority may, for the purposes of applying the provisions of this Act to subdivided buildings, subsidiary titles, parcels, common property, management corporations and councils which were in existence prior to the commencement of this Act, with or without modifications, additions or exclusions to or in respect of any such subdivided buildings, subsidiary titles, parcels, common property, management corporations or councils and for purposes incidental thereto, make rules providing for such modifications, additions or exclusions and such transitional, consequential or saving provisions as the State Authority may deem to be necessary or expedient.

(2) Until rules are made under subsection (1), nothing contained in this Act shall apply to any subdivision of a building effected, or to any subsidiary title issued, or to any parcel, common property, management corporation or council in existence, prior to the commencement of this Act, and the provisions of the National Land Code shall continue to apply thereto in the same manner as before the commencement of this Act.

(3) Nothing contained in the Fourth Schedule shall affect the provisions of the National Land Code in their application to any subdivision of a building effected, or to any subsidiary title issued, or to any parcel, common property, management corporation or council in existence, prior to the commencement of this Act.

Repeal and amendment of provisions of the National Land Code

83. (1) The provisions of the National Land Code as shown in Part I of the Fourth Schedule are repealed.

(2) The provisions of the National Land Code as shown in the first column of Part II of the Fourth Schedule are amended in the manner set out in the second column thereof.

Amendment of Forms

84. The Minister may, with the approval of the National Land Council, by order notified in the *Gazette* of the Federation, amend or substitute any of the Forms in the First Schedule.

Transitional provision with respect to rules, orders, etc.

85. Any rule, order, regulation, direction, notice or notification made, given or issued before the commencement of this Act under the provisions of the National Land Code repealed by subsection 83(1) shall, if it could have been made, given or issued under any corresponding provisions of this Act, continue in force, and have the like effect, as if it had been so made, given or, as the case may be, issued.

FIRST SCHEDULE

FORMS

STRATA TITLES ACT 1985

FORM 1

[Section 9]

APPLICATION FOR SUBDIVISION OF BUILDING,
BUILDING AND LAND, OR LAND

To the Land Administrator, District of

I,.....

of.....

the proprietor of the following land:

- *Town/Village/Mukim :
- Lot No. :
- Description and Title No. :
- Area :

hereby apply for approval of subdivision of—

- (a) *the building;
- (b) *the building and land;
- (c) *the land,

*together with the issue of a provisional strata title for provisional block/s.

2. The subdivision is to be into—

- (a) parcels (if any);
- (b) land parcels (if any);
- (c) accessory parcel (if any);
- (d) provisional block/s (if any),

as specified in the appended schedule.

3. The building/s erected thereon, including any provisional block, is/are used for the following purposes:

.....

4. As required by section 9 of the Act, I now submit—
- (a) the prescribed fee of RM
 - (b) the fee of RM as notified by the Director of Survey;
 - (c) the certificate of proposed strata plan under section 8A of the Act;
 - (d) the certificate classifying building as low-cost building (if any);
 - (e) a letter of consent from each of the following person whose consent in writing is required for the particular reasons specified in each such letter:
 - (i)
 - (ii)
 - (iii)
 - (f) the proposed name of the management corporation under section 15 of the Act;
 - (g) the issue document of title of the lot;
 - (h) a certified copy of the certificate of completion and compliance or certificate of fitness for occupancy, as the case may be, except—
 - (i) in the case under paragraph 8(2)(a) of the Act;
 - (ii) when the building is classified as special building and the certified copy of the certificate of completion and compliance or certificate of fitness for occupancy is not available; or
 - (iii) in any other circumstances where the Land Administrator is satisfied that the certified copy of the certificate of completion and compliance or certificate of fitness for occupancy may be exempted; and
 - (i) a certified copy of the schedule of parcels or amended schedule of parcels, as the case may be, except in the case under paragraphs 8(2)(b) and (d) of the Act.

*5. I undertake that the construction of each building to which a provisional block relates, will be completed by the following dates:

<i>Provisional Block</i>	<i>Date</i>	<i>Provisional Block (land parcel)</i>	<i>Date</i>
P1	PL1	.....
P2	PL2	.....
etc.		etc.	

Date this

.....
Signature of Original Proprietor

For Official Use Only

- A. To the Director of Lands and Mines
 - (1) Issue document of title enclosed.
 - (2) Rent for current year paid.

Land Administrator:

- B. To the Director of Survey
 - Application approved.

Director of Lands and Mines:

(To be appended in as many sheets as are necessary)

SCHEDULE OF PARCELS AND PROVISIONAL BLOCKS (IF ANY)

<i>Building/ Provisional block/ Land Parcels</i>	<i>List of storeys</i>	<i>List of parcels/ Land parcels</i>	<i>Share units of each parcel/ Provisional block</i>	<i>Area of parcel/ Land parcel/ Provisional block</i>
(1)	(2)	(3)	(4)	(5)
<p>BUILDING/S: Use M1, M2, etc. to denote completed buildings.</p> <p>M1</p> <p>Storey No.</p> <p>Parcel Parcel Parcel</p> <p>Storey No.</p> <p>Parcel Parcel Parcel</p> <p>M2</p> <p>Storey No.</p> <p>Parcel Parcel Parcel</p> <p>Storey No.</p> <p>Parcel Parcel Parcel</p> <p>etc.</p> <p>PROVISIONAL BLOCK/S Use P1, P2, etc. to denote provisional blocks.</p> <p>P1... — P2... —</p> <p>etc.</p> <p>LAND PARCELS Use L1, L2, etc. to denote land parcels.</p> <p>L1-L [State the first and</p>				

<i>Building/ Provisional block/ Land Parcels</i>	<i>List of storeys</i>	<i>List of parcels/ Land parcels</i>	<i>Share units of each parcel/ Provisional block</i>	<i>Area of parcel/ Land parcel/ Provisional block</i>
<i>the last parcel]</i> PROVISIONAL BLOCK/S (LAND PARCELS) Use PL1, PL2, etc. to denote provisional blocks (land parcels). PL1 PL2 etc.	— —	— —
		Total	.....	.....

LIST OF ACCESSORY PARCELS

<i>+Accessory Parcel</i>	<i>++ Location of Accessory Parcel</i>	<i>Parcel or Provisional Block to which Accessory Parcel is Appurtenant</i>	<i>Purpose</i>	<i>Area of Accessory parcel</i>

- * *Delete whichever not applicable.*
- + *For purposes of identifying an accessory parcel, prefix the letter A to the number of the accessory parcel.*
- ++ *If the accessory parcel is located within a building, indicate the location by reference to the building number and the storey number.*
- # **EXPLANATORY NOTE**
The consent in writing is required of every person or body entitled to the benefit of a lease of the whole or any part of the land other than a part corresponding precisely to, or included wholly within, one of the intended parcels.

STRATA TITLES ACT 1985

FORM 1A

*(Deleted by P.U. (A) 105/2015)**STRATA TITLES ACT 1985*

FORM 2

[Section 15]

STRATA REGISTER INDEX

State	:
District	:
*Town/Village/Mukim	:
Title No.	:
Lot No.	:
Area	:
File Reference No.	:
Name of Management Corporation	:
Address of Management Corporation	:
Address for Service of Documents	:
Strata Register Book No.	:
Memorials, Endorsements and other Entries	:

SUMMARY OF CONTENTS

<i>Building/Provisional block/Land Parcel</i>	<i>Purposes</i>	<i>No. of parcels</i>	<i>Share Units/ Provisional share units</i>
Building/s			
M1
M2

Provisional Blocks/s			
P1 .. .. .	.....	—	.....
P2 .. .. .	.....	—	.....
Land Parcel			
L1 – L ... ..	.....	.....	.....
Provisional Block/s (Land Parcel)			
PL1 ... ..	.....	—	.....
PL2 ... ..	.....	—	.....
Total		.....	.....

Total number of folios in certified strata plan

DETAILED INDEX

<i>Page no. of title of parcel/ Provisional block/ Land parcel</i>	<i>Building/ Provisional block/ Land parcel</i>	<i>List of storeys and Folio plan</i>	<i>List of parcels / Land parcels</i>	<i>Area of parcels / Provisional block / Land parcels</i>	<i>Share units of each parcel / Provisional block / Land parcel</i>	<i>Rent of each parcel / Provisional block / Land parcel (RM)</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	BUILDING/S: [Use M1, M2, etc., to denote completed building]						
	M1	Storey No. (Folio Plan No.)	Parcel Parcel Parcel .....		..... ..... ..... Sub-total .....	..... ..... ..... Sub-total	
	M2	Storey No. (Folio Plan No.)	Parcel Parcel Parcel .....		..... ..... ..... Sub-total .....	..... ..... ..... Sub-total	
	etc.						

PROVISIONAL BLOCK/S: [Use P1, P2, etc., to denote provisional blocks]							
P1	(Folio Plan No. ....)	—			.....	.....
P2	(Folio Plan No. ....)	—			.....	.....
etc.					Sub-total	Sub-total	
					
LAND PARCELS: [Use L1, L2, etc., to denote land parcel. State the first and the last land parcel]							
L1-L	(Folio Plan No.)	L L .....			.....	.....
					Sub-total	Sub-total	
					
PROVISIONAL BLOCK/S (LAND PARCELS): [Use PL1, PL2, etc. to denote provisional blocks (land parcel)]							
PL1	(Folio Plan No. ....)	—			.....	.....
PL2	(Folio Plan No. ....)	—			.....	.....
etc.					Sub-total	Sub-total	
					
Total					.....	.....

(Continuation sheets to be added as required)

LIST OF ACCESSORY PARCELS

<i>+Accessory Parcel</i>	<i>++Location of Accessory Parcel</i>	<i>Parcel or Provisional Block to which Accessory Parcel is Appurtenant</i>	<i>Purposes</i>	<i>Area of Accessory Parcel</i>

- * *Delete whichever not applicable.*
- + *For purposes of identifying an accessory parcel, prefix the letter A to the number of the accessory parcel.*
- ++ *If the accessory parcel is located within a building, indicate the location by reference to the building number and the storey number.*

STRATA TITLES ACT 1985

FORM 3

[Section 15]

STRATA REGISTER STATEMENT

BOOK FOR THE TITLE NO.....

The appended schedule contains all those memorials, endorsements and other entries, appearing this day in the register document of the above title, which relate to matters capable of affecting any of the parcels *or any of the provisional blocks from this day held by strata title *or provisional strata title which is subsidiary thereto, not being matters capable of affecting one only of the parcels, *or one only of the provisional blocks.

Dated this day of 20.....

.....
Registrar

SCHEDULE

*Delete as appropriate.

STRATA TITLES ACT 1985

FORM 4

[Section 16]

STRATA TITLE

TITLE NO.	BUILDING NO.	STOREY NO.	PARCEL NO.

Rent :

*Grant in perpetuity/Lease for the term of.....
 expiring on

State :

District :

*Town/Village/Mukim :

Lot No. :

Area of Parcel :

Accessory Parcel :

Total Area of Accessory Parcel :

Share Units of Parcel :

Certified Strata Plan No. :

Strata Register Book No. :

*Within Malay Reservation Area/Aboriginal Area/ Aboriginal Reserve Area/Group
 Settlement Area/Others (Please specify)
 Gazette Notification No. dated.....

The above parcel and accessory parcel (if any) on this land is/are held for the full term of the title by the proprietor for the time being named in the record of proprietorship herein subject to the provisions of the Act, to the provisions of the rules made thereunder and more particularly to the memorials, endorsements and other entries. Any dealing in relation to this strata title is subject to the restrictions and conditions as specified herein.

By virtue of this title, the said proprietor also enjoys voting rights in the management corporation proportionate to the share units of this parcel as specified, in relation to the total share units.

Dated this

L.S.
Registrar

EXPRESS CONDITION
RESTRICTION IN INTEREST
RECORD OF MANAGEMENT CORPORATION
RECORD OF PROPRIETORSHIP
RECORD OF DEALINGS
OTHER MATTERS AFFECTING TITLE

L.S.
Registrar

**Delete whichever not applicable*

STRATA TITLES ACT 1985

FORM 4A

[Section 16]

PROVISIONAL STRATA TITLE

DEALINGS PROHIBITED

TITLE NO.	PROVISIONAL BLOCK NO.
-----------	-----------------------

Rent :
 *Grant in perpetuity/Lease for the term of.....
 expiring on

State :
 District :
 *Town/Village/Mukim :
 Lot No. :
 Area of Parcel :
 Accessory Parcel :
 Total Area of Accessory Parcel :
 Provisional Share Units :
 Certified Strata Plan No. :
 Strata Register Book No. :

*Within Malay Reservation Area/Aboriginal Area/ Aboriginal Reserve Area/Group Settlement Area/Others (Please specify)
 Gazette Notification No. dated

The above provisional block on this land is held for the full term of the title by the proprietor for the time being named in the record of proprietorship herein subject to the provisions of the Act, to the provisions of the rules made thereunder and more particularly to the memorials, endorsements and other entries.

By virtue of this title, the said proprietor also enjoys voting rights in the management corporation proportionate to the provisional share units of this provisional block as specified, in relation to the total share units.

Dealings in respect of this provisional strata title or any share or interest therein are prohibited.

Dated this

L.S.
Registrar

EXPRESS CONDITION
RESTRICTION IN INTEREST
RECORD OF MANAGEMENT CORPORATION
RECORD OF PROPRIETORSHIP
OTHER MATTERS AFFECTING TITLE

L.S.
Registrar

**Delete whichever not applicable*

STRATA TITLES ACT 1985

FORM 5

[Section 20B]

APPLICATION FOR THE ISSUE OF SEPARATE STRATA TITLES IN RESPECT
OF A PROVISIONAL STRATA TITLE

To the Land Administrator, District of

I,
of.....
the proprietor of provisional strata title
on the land scheduled below, hereby apply for the issue of separate strata titles to the
.....
parcels and..... accessory parcels where applicable as
specified in the appended schedule.

2. As required by section 20B of the Act, I now submit—

- (a) the prescribed fee of RM.....;
- (b) the fee of RM..... as notified by the Director of Survey;
- (c) certificate of proposed strata plan under section 20A of the Act;
- (d) the issue document of provisional strata title;
- (e) a certified copy of the certificate of completion and compliance or certificate of fitness for occupancy, as the case may be, except —

- (i) in the case under paragraph 20(2)(a) of the Act;
 - (ii) when the building is classified as special building and the certified copy of the certificate of completion and compliance or certificate of fitness for occupancy is not available; or
 - (iii) in any other cases where the Land Administrator is satisfied that the certified copy of the certificate of completion and compliance or certificate of fitness for occupancy may be exempted; and
- (f) a certified copy of the schedule of parcels or amended schedule of parcels, as the case may be, except in the case under paragraphs 20(2)(b) and (c) of the Act.

Dated this

.....
Signature of Proprietor

SCHEDULE

District

*Town/Village/Mukim Lot No

Description and Title No.

For Official Use Only

- A. To the Director of Lands and Mines
 Issue document of provisional strata title enclosed.

Land Administrator :

- B. To the Director of Survey
 Application approved.

Director of Lands and Mines :

**Delete whichever not applicable*

STRATA TITLES ACT 1985

FORM 6

[Section 28]

APPLICATION FOR DIVISION OF PARCEL

To the Land Administrator, District of

I,.....

of.....

the proprietor of parcel

in the subdivided building or land standing on the land scheduled below, hereby apply for the division of the said parcel into new parcels as indicated in the attached plan of intended division.

2. As required by section 28 of the Act, I now submit—

- (a) the prescribed fee of RM
- (b) the plan of intended division of the parcels specified above, duly certified by a land surveyor, together with copies thereof;
- (c) a statement of the number of share units of the new parcels;
- (d) a letter of consent from each of the following person whose consent in writing is required for the particular reason specified in each such letter:
 - (i)
 - (ii)
 - (iii)
- (e) a letter of consent from the management corporation and the approval from the relevant authorities to the making of this application; and
- (f) the issue document of title of the parcel or parcels involved.

3. I hereby declare that as shown in the attached plan, there is an adequate means of access to each new parcel, not passing through another parcel.

Dated this

.....
Signature of Proprietor

SCHEDULE

District

*Town/Village/Mukim Lot No

Description and Title No.

For Official Use Only

A. To the Director of Lands and Mines

Issue document of title of affected parcel enclosed.

Land Administrator :

B. To the Director of Survey

Division of parcel as above approved.

Director of Lands and Mines :

**Delete whichever not applicable*

STRATA TITLES ACT 1985

FORM 7

[Section 28]

APPLICATION FOR AMALGAMATION OF PARCELS

To the Land Administrator, District of

I
of.....

the proprietor of parcels
in the subdivided building or land on the land scheduled below, hereby apply for the approval of their amalgamation into a single parcel as indicated in the attached plan of intended amalgamation.

2. As required by section 28 of the Act, I now submit—

- (a) the prescribed fee of RM.....;
- (b) the plan of intended amalgamation of the parcels specified above, duly certified by a land surveyor, together with copies thereof;
- (c) a statement of the number of share units of the new parcel;
- (d) a letter of consent from each of the following persons whose consent in writing is required for the particular reason specified in each such letter:
 - (i)
 - (ii)
 - (iii)
- (e) a letter of consent from the management corporation and the approval from the relevant authorities to the making of this application; and
- (f) the issue documents of title of the affected parcels.

3. I hereby declare that as shown in the attached plan, there is an adequate internal means of communication within the new parcel, not passing through common property.

Dated this

.....
Signature of Proprietor

SCHEDULE

District

*Town/Village/Mukim Lot No

Description and Title No.

- A. To the Director of Lands and Mines
Issue document of title of affected parcel enclosed.

Land Administrator:.....

- B. To the Director of Survey
Amalgamation of parcels as above approved.

Director of Lands and Mines:.....

**Delete whichever not applicable*

STRATA TITLES ACT 1985

FORM 7_A

(Deleted by P.U. (A) 105/2015)

STRATA TITLES ACT 1985

FORM 7_B

(Deleted by P.U. (A) 105/2015)

STRATA TITLES ACT 1985

FORM 8

[Section 57]

NOTIFICATION OF INTENDED TERMINATION OF
SUBDIVISION OF SUBDIVIDED BUILDING OR LAND

To the Registrar, the State of

Take notice that

.....
being the management corporation of a subdivided building or land standing on the
following land:

*Town/Village/Mukim Lot No

Description and Title No. Area

*has been directed by unanimous resolution to/as one proprietor to take action to
terminate the subdivision.

2. As required by subsection 57(1) of the Act, this notification is accompanied by the
issue documents of title of the above-mentioned land and the parcels comprised in the
subdivided building or land */and of provisional blocks.

The Common Seal of the management corporation was affixed hereto on the
..... in the presence of—

*L.S.

.....
*Members of Council/Proprietor

**Delete whichever is not applicable*

STRATA TITLES ACT 1985

FORM 9

[Sections 17 and 17A]

APPLICATION FOR CERTIFICATE OF MANAGEMENT CORPORATION /
SUBSIDIARY MANAGEMENT CORPORATION

To the *Registrar/Director of Lands and Mines

*I/We the undersigned, being the management committee of the Management Corporation of the subdivided building or land on the land scheduled below, hereby apply under section *17/17A of the Strata Titles Act 1985 for a certificate of *management corporation/subsidiary management corporation to be issued to this corporation.

2. The application is to be into *management corporation or subsidiary management corporation/s. The limited common property described *or/and the boundaries or area of the limited common property identified *or/and defined is/are as shown in the special plan attached.

3. As required by section *17/17A of the Strata Titles Act 1985, I now submit—

- (a) the prescribed fee of RM.....;
- (b) *a copy of the comprehensive resolution together with a certificate signed by the Commissioner certifying the receipt of the same filed with him by the management corporation;
- (c) *a special plan prepared under subsection 17A(2);
- (d) the receipt of current rent of the said lot; and
- (e) *the certificate of management corporation.

Dated this day of 20.....

.....
*Management Committee of
Management Corporation*

SCHEDULE

District

*Town/Village/Mukim Lot No

Description and Title No.

**Delete whichever is inappropriate*

STRATA TITLES ACT 1985

FORM 10

[Sections 8A and 20A]

APPLICATION FOR CERTIFICATE OF PROPOSED STRATA PLAN

To the Director of Survey,.....

I,

of

the proprietor of the following land:

District :
 *Town/Village/Mukim :
 Lot No. :
 Description and Title No. :
 Area :

hereby apply for certificate of proposed strata plan for application of subdivision under section 9 or 20B of the Act for—

- (a) *building;
- (b) *building and land;
- (c) *land;

*together with the issue of a provisional strata title for provisional block/s.

2. The intended subdivision is to be into—

- (a) parcels (if any);
- (b) land parcels (if any);
- (c) accessory parcel (if any);
- (d) provisional block/s (if any),

as specified in the appended schedule.

3. As required by section 8A or 20A of the Act, as the case may be, I now submit—

- (a) the prescribed fee of RM.....;
- (b) the original copy of approved building plan/s for each building to be subdivided or plans required under paragraph 8A(1)(c) or 20A(1)(c) *and building/s to be subdivided which relates to land parcels, *and for building/s which relates to provisional block/s;
- (c) the proposed strata plan certified by a land surveyor under paragraph 8A(1)(d) or 20A(1)(d) of the Act;
- (d) certification by the Professional Architect or the Professional Engineer under paragraph 8A(1)(e) or 20A(1)(e) of the Act;
- (e) certified copy of the *final title of the lot/the provisional strata title;
- (f) a certified copy of the document that certifies the super structure stage, where applicable;
- (g) a certified copy of the certificate of completion and compliance or certificate of fitness for occupancy, where applicable; and
- (h) a certified copy of the schedule of parcels or amended schedule of parcels filed with the Commissioner, where applicable.

4. I undertake that—

- (a) all documents attached are complete and have fulfilled the requirements of the Act;
- (b) the said lot have been resurveyed as shown in certified plan no. (where applicable); and
- (c) all payments to the relevant agencies will be paid.

Dated this

.....
Signature of Original Proprietor

**Delete whichever not applicable*

(To be appended in as many sheets as are necessary)

SCHEDULE OF PARCELS AND PROVISIONAL BLOCKS (IF ANY)

<i>Building/ Provisional block/ Land Parcels</i>	<i>List of storeys</i>	<i>List of parcels/ Land parcels</i>	<i>Area of each parcel/ Provisional block/ Land parcel</i>
(1)	(2)	(3)	(4)
BUILDING/S: Use M1, M2, etc. to denote completed buildings M1 M2 etc.	Storey No.	Parcel Parcel Parcel .....	..... ..... .....
	Storey No.	Parcel..... Parcel Parcel .....	..... ..... .....
	Storey No.	Parcel Parcel Parcel .....	..... ..... .....
	Storey No.	Parcel Parcel Parcel .....	..... ..... .....

<p>PROVISIONAL BLOCK/S</p> <p>Use P1, P2 etc. to denote provisional blocks.</p> <p>P1</p> <p>P2</p> <p>etc.</p>	—	—	.....
	—	—
<p>LAND PARCELS</p> <p>Use L1, L2 etc. to denote land parcels.</p> <p>L1-L</p> <p><i>[State the first and the last land parcel]</i></p>	—	L .....	.....
		L .....	.....
		L .....	.....
<p>PROVISIONAL BLOCK/S (LAND PARCELS)</p> <p>Use PL1, PL2 etc. to denote provisional blocks (land parcels).</p> <p>PL1</p> <p>PL2</p> <p>etc.</p>	—	—	.....
	—	—
	Total	.....

LIST OF ACCESSORY PARCELS

+Accessory Parcel	++ Location of Accessory Parcel	Parcel or Provisional Block to which Accessory Parcel is Appurtenant	Purposes	Area of Accessory Parcel

- * Delete whichever not applicable
- + For the purposes of identifying an accessory parcel, prefix the letter A to the number of the accessory parcel
- ++ If the accessory parcel is located within a building, indicate the location by reference to the building number and the storey number.

STRATA TITLES ACT 1985

FORM 11

[Section 23E]

NOTICE OF DEMAND: ARREARS OF RENT

To.....
of.....
proprietor of the *parcel/provisional block described in column (3) of the Schedule below.

Whereas the rent reserved on the said *parcel/provisional block and due in respect of the current year is unpaid and, with effect from the 1st day of June, in arrears.

You are hereby required, within three months of the date of the service of this notice, to pay *at the Land Office of this district/at all the sums now due as entered in column (4) until column (7) of the Schedule and totaled in column (8) thereof.

And take notice that, if *the total/any of the totals specified in column (8) is not paid in full within the said period of three months, then I the undersigned, by virtue of the powers conferred by section 23H of the Act, shall by order declare the *parcel/provisional block in question forfeited to the State Authority.

Dated this

Land Administrator.....

District

SCHEDULE OF *PARCEL/PROVISIONAL BLOCK AND ARREARS

<i>Title No. (Title of the lot) (1)</i>	<i>Lot No. (2)</i>	<i>Description of Title (Strata Title) (3)</i>	<i>Current Year Rent (4)</i>	<i>Arrears from previous years (5)</i>	<i>Fees, etc., chargeable as rent (6)</i>	<i>Arrears Fee/s (7)</i>	<i>Total due (8)</i>

SUPPLEMENT

To.....

of.....

*Chargee/Lessee/Sub-lessee/Tenant/Lien-holder/Caveator/Easement holder

Should you have reason to believe that the proprietor of that the *parcel/provisional block scheduled above in which you possess or claim an interest will make default in payment of the sums now declared due thereon, you may avoid the forfeiture of such *parcel/provisional block by paying in full to the Land Administrator, within the time specified, the total specified in respect of that *parcel/provisional block.

And take notice that (without prejudice to any right under that section to sue the proprietor directly) the following special rights of recovery exist by virtue of section 23F of the Act:

- (a) any sum paid by a chargee shall be added to the first payment thereafter due under the charge;
- (b) any sum paid by a lessee, sub-lessee or tenant may be recovered by deducting the amount of such sum from any rent then or thereafter due from him to the proprietor or other person under whom the *parcel/provisional block is held; and
- (c) any lessee, sub-lessee or tenant who incurs any additional liability or suffers any deduction under section 23F of the Act may recover the amount of such liability or deduction by making a corresponding deduction from the amount of the rent payable by him.

Dated this

Land Administrator
District

Note— A copy to be sent to Management Corporation

**Delete whichever not applicable*

STRATA TITLES ACT 1985

FORM 12

[Section 23L]

NOTICE OF REVERSION TO THE STATE

Whereas, pursuant to section 23L of the Act, the *parcel/provisional block scheduled below has by order been declared forfeited to the State Authority.

Notice is hereby given that such forfeiture has this day taken effect and that, in consequence of its vesting in the name of, the transferee prescribed by the State Authority—

- (a) any interest in the title heretofore subsisting or capable of arising is extinguished; and
- (b) the issue document of title to the *parcel/provisional block is void and is impoundable by the State.

Dated this.....

Land Administrator
District.....

SCHEDULE OF FORFEITED *PARCEL/PROVISIONAL BLOCK

<i>Town/Village or Mukim</i>	<i>Title No.</i>	<i>Lot No.</i>	<i>Description of title (Strata Title)</i>	<i>Share Unit</i>

Dated this.....

Land Administrator

District

Note— A copy to be sent to Management Corporation

**Delete whichever not applicable*

SECOND SCHEDULE

(Deleted by Act A1450)

THIRD SCHEDULE

(Deleted by Act A1450)

FOURTH SCHEDULE

[Section 83]

REPEAL AND AMENDMENT OF PROVISIONS OF
THE NATIONAL LAND CODE

PART I—PROVISIONS WHICH ARE REPEALED

1. Definitions of “subsidiary register” and “subsidiary title” in section 5.
2. Sections 151 to 157 (inclusive).
3. Sections 161 to 163 (inclusive).
4. Sections 355 to 374 (inclusive).
5. First Schedule—Forms 9D, 10A, 10B and 10C.
6. Seventh Schedule, Seventh Schedule-A, Seventh Schedule-B, Eighth Schedule, Ninth Schedule.

PART II—PROVISIONS WHICH ARE AMENDED

<i>Provision amended</i>	<i>Amendment</i>
1. Definition of “final title” in section 5	For the words “, Land Office title and subsidiary title” substitute the words “and Land Office title”.
2. Definition of “Registrar” in section 5	Substitute therefor the following: ““Registrar” means— (a) in relation to land held or to be held under Registry title, or under the form of qualified title corresponding to Registry title, a Registrar of Titles or Deputy Registrar of Titles appointed under section 12; (b) in relation to land held or to be held under Land Office title, or under the form of qualified title corresponding thereto, the Land Administrator,’.
3. Heading appearing before section 158	Delete the words “(other than the Subsidiary Register)”.
4. Paragraph 165(1)(a)	For the words “the issue documents appropriate thereto and documents relating to parcels held under subsidiary title”, substitute the words “the issue documents appropriate thereto”.
5. Heading appearing before section 256	For the words “PROCEDURE REGISTRY TITLE, QUALIFIED TITLE CORRESPONDING AND SUBSIDIARY TITLE,” substitute the words “PROCEDURE REGISTRY TITLE AND QUALIFIED TITLE CORRESPONDING THERETO”.
6. Subsection 256(1)	Substitute therefor the following: “(1) This section applies to land held under— (a) Registry title; or (b) the form of qualified title corresponding to Registry title,

and to any lease of any such land.”.

7. Subsection 260(1)

Substitute therefor the following:

“(1) This section applies to land held under—

(a) Land Office title; or

(b) the form of qualified title corresponding to Land Office title,

and to any lease of any such land.”.

FIFTH SCHEDULE

[Section 4A]

COMPUTERIZATION SYSTEM OF STRATA TITLES

Interpretation

1. In this Schedule, unless the context otherwise requires—

“computer printed document of title” means a document of title prepared by use of a computer;

“computer printed issue document of title” means an issue document of title prepared by use of a computer;

“computer printed register document of title” means a register document of title prepared by use of a computer;

“existing document of strata register” means any strata register which includes the existing documents of strata register index, documents of strata register statements, copies of certified strata plans and every register document of strata title corresponding to each parcel and, if any, provisional blocks registered before or after the coming into operation of the Computerization System of Strata Titles in any Land Registry in accordance with section 4A;

“existing document of title” means a register document of title registered before the commencement of the Computerization System of Strata Titles and includes an issue document of title in respect thereof, if any;

“verification document” means a computer print-out, as in Form A showing part of the former contents and the new contents of a document of title after decision by the

Registrar on any matter presented for entering into the computer printed document of title;

“entry” or “enter” in relation to any document of title, includes any endorsement, memorial, note, correction, cancellation or deletion or other entry thereon by use of computer;

“computer” means any device for storing or processing information and includes the necessary input and output and database of a computer;

“matter” means any instrument presented for registration or any order, notification, application or other document presented for entry into the register;

“Computerization System of Strata Titles” means the procedures for the registration of strata titles, the documents required to be prepared thereby and any entry in any document of strata titles through the use of a computer. The System includes both manual and computerized procedures;

“the Act” means the Strata Titles Act 1985 [*Act 318*];

“the Code” means the National Land Code 1965 [*Act 56/1965*].

Mode of making an entry on a document of title under the Computerization System of Strata Titles

2. For the purposes of this Act, whenever an entry is required to be made on the computer printed document of title by the Registrar, it shall be taken as a requirement that—

- (a) the Registrar makes the entry by use of a computer; and
- (b) the Registrar prepares a new computer document of title and cancel and destroy the previous version of the computer printed document of titles.

Forms of documents for Registry title or Land Office title

3. For the purposes of this Act, whenever an entry is required to be made on the computer printed document of title by the Registrar it shall be taken as a requirement that—

- (a) the computer printed register document of title shall be in Form 4_(K) in respect of a parcel or in Form 4_{A(K)} in respect of a provisional block; and
- (b) the computer printed issue document of title shall be in the same form as Form 4_(K) or Form 4_{A(K)}, as the case may be.

Plan for strata title to be issued separately

4. (1) The plan of the parcel or provisional block shall be issued to the proprietor in Form S_(K).

(2) The Registrar shall, when delivering the computer printed issue document of title to the title to the proprietor, also deliver to him a copy of the plan attached to Form S_(K) duly authenticated under the hand and seal of the Director of Survey.

(3) The Registrar shall keep in the Land Registry a copy of the certified strata plan to which the certified strata plan relates as approved by the Director of Survey under paragraph (13)(1)(c) of the Act. The copy of the certified strata plan shall be duly authenticated under the hand and seal of the Director of Survey.

Conversion to computer printed strata register

5. (1) Upon the coming into operation of the Computerization System of Strata Titles in a Land Registry, the Registrar shall convert the existing register documents of title to the computer printed register documents of title and shall sign and seal the same.

(2) An existing register document of title shall continue to be in operation and valid for all purposes of this Act until a computer printed register document of title is prepared and signed and sealed by the Registrar.

(3) After the conversion of an existing register document of title, the existing issue document of title in respect thereof shall continue to be in operation and valid for all purposes of this Act until the relevant computer printed issue document of title is prepared and issued to the proprietor.

(4) Any registered proprietor whose strata title comes within the jurisdiction of a Land Registry in which the Computerization System of Strata Titles is implemented may at any time apply for conversion of an existing issue document of title to a computer printed issue document of title by lodging the existing issue document of title at the said Land Registry.

(5) The Registrar may on his own accord convert any existing issue document of title without there being an application made under subparagraph (4).

(6) In respect of an existing document of strata register prepared under this Act, the computer printed strata register shall be prepared as in Form 2_(K), 3_(K), 4_(K) or 4_{A(K)}, as the case may be.

(7) In respect of an existing document of title prepared under the Code, the computer printed document of title shall be deemed to be a process for the preparation of title-in-continuation under this Schedule.

(8) Upon the conversion of an existing document of title under the preceding subparagraphs, the Registrar shall—

- (a) make a copy of the plan from the existing register document of title to be attached as Form S_(K), and shall be duly authenticated under his hand and seal;
- (b) endorse across the face of the existing register document of title to the effect that the title in question has been converted to the computer printed register document of title; and on the making of such endorsement the existing register document of title shall be deemed to have been cancelled;
- (c) call upon the registered proprietor to take delivery of the computer printed issue document of title, provided that where the conversion is effected by the Registrar on his own accord under subparagraph (5), he shall not be obliged to deliver to the registered proprietor the computer printed issue document of title unless the existing issue document of title is produced to him; and
- (d) cancel and destroy the existing document of title when submitted to him.

Mode of preparing document of title

6. Every document of title to be prepared upon registration of strata titles or replacement of a computer printed register document of title shall, under the Computerization System of Strata Titles, be prepared by use of a computer.

Mode of preparing a computerized strata register record

6A. (1) For the purpose of subsection 15(2) of the Act, the Registrar shall, by this Schedule, prepare and maintain a computerized strata register record relating to one lot and, every such book shall contain—

- (a) a computerized document of strata register index in Form 2(K);
- (b) subject to subparagraph (2), a computerized document of strata register statement in Form 3(K);
- (c) a copy of the certified strata plan approved by the Director of Survey pursuant to paragraph 13(1)(a) of the Act; and
- (d) every computer printed register document of title in Form 4(K) or in Form 4A(K), as the case may be.

(2) Notwithstanding paragraph 15(2)(b) of the Act, every computerized strata register record under this Schedule shall exclude a statement in Form 3(K) if all those memorial, endorsements and other entries appearing in that preceeding Form 3 upon conversion under paragraph 5, is no longer affecting any of the parcels or provisional blocks or any strata title or provisional strata title which is subsidiary thereto.

Possession of a copy of strata titles

7. Where a document of title is prepared upon registration of strata title or replacement of a computer printed register document of title, the Registrar shall deliver to the registered proprietor the computer printed issue document of title.

Conclusiveness of every folio of computer printed register document of title

8. For the purposes of sections 15 to 19 of this Act, every folio of a computer printed register document of title is conclusive evidence of the particulars recorded therein.

Computer printed document of title to be kept in loose leaf

9. For the purposes of sections 15 to 19 of this Act, every computer printed document of title registered under this Act, whether upon registration of strata titles or replacement of a computer printed register document of title, shall be kept in loose leaf.

Presentation Record

10. (1) The Registrar shall maintain a record, to be called the "Presentation Record", by or through the use of a computer, in which there shall be entered a short description of every matter presented for registration or entry, as the case may be.

(2) The Presentation Record shall consist of—

- (a) the presentation number given by the computer in respect of each matter presented;
- (b) the date and time of presentation;
- (c) a description of the matter;
- (d) in the case of dealing, the name of the person presenting the matter;
- (e) the title description of the parcel affected by the presentation; and

- (f) a note whether the matter has been registered, endorsed or entered, as the case may be, rejected or withdrawn.

Verification document to be verified

11. (1) After the Registrar has determined that an instrument is fit for registration in accordance with the provisions of Part III of this Act or that any other matter shall be entered into the document of title, he shall verify the contents of the verification document and if he finds the verification document to be in order, he shall authenticate the document of title under his hand and seal.

(2) After the Registrar has registered any instrument of dealing or enter any other matter into a computer printed document of title, he shall cause the verification document to be filed.

Mode of registering instrument

12. For the purpose of section 15 of this Act, the memorial in the term set out in paragraph (2)(b) thereof shall be entered into the computer in respect of the register document of title to which the parcel or provisional block relates.

New computer printed document of title

13. Upon making the memorial in the manner provided in paragraph 12 where it relates to a dealing or upon determining that any other matter shall be entered into any document of title, the Registrar shall cause a new computer printed register document of title and, where appropriate, a new computer printed issue document of title, to be prepared.

Conclusiveness of registration

14. Every register document of title prepared pursuant to paragraph 13 and authenticated under the hand and seal of the Registrar shall be conclusive evidence of the registration to which it refers and the effective time and date thereof.

Reference to Fourteenth Schedule

15. This Schedule shall be read and construed together with the operation of the Fourteenth Schedule of the Code as if it were a part of it.

STRATA TITLES ACT 1985

FORM A

[Paragraph 1 of Fifth Schedule]

VERIFICATION DOCUMENT

Verified by	Registrar
(name of clerk)	(name of Registrar)
Signature	Signature

1. Version no:
2. Type of matter:
3. Presentation no: Date: Time:
4. Presenter:
5. Number of titles affected:
 - (a) Former contents:
 - (i) *Titles:
 - (ii) **Affected presentation:
 - (iii) ***Others:
 - (b) Action taken:
 - (c) New contents:

*State/District/Mukim/Village/Title no./Lot no./Building no./

Storey no./Parcel or land parcel no.

.....
(Enter as appropriate)

**Name/Presentation no./Volume/Folio/Date/Time

.....
(Enter as appropriate)

***ID version no. – Type of matter – Presentation no.

.....
(Enter as appropriate)

STRATA TITLES ACT 1985

FORM 2(K)

[Subparagraph 5(6) of Fifth Schedule]

STRATA REGISTER INDEX

- State :
- District :
- Town/Village/Mukim :
- Title No. :
- Lot No. :
- Area :
- File Reference No. :
- Name of Management Corporation :
- Address of Management Corporation :
- Address for Service of Documents :
- Strata Register Book No. :
- Memorials, Endorsements and Other Entries :

SUMMARY OF CONTENTS

<i>Building/ Provisional block/Land parcel</i>	<i>Purposes</i>	<i>No. of parcels</i>	<i>Share units/ Provisional share units</i>
Building/s M1 M2
Provisional Block/s P1 P2	— —
Land Parcel L1 – L
Provisional Block/s (Land Parcel) PL1 PL2	— —
Total	

Total number of folios in certified strata plan.....

Title ID :

Date :

Version No. :

Page :

DETAILED INDEX

<i>Page no. of title of parcel/ Provisional block/ Land Parcel</i>	<i>Building/ Provisional block/ Land parcel</i>	<i>List of storeys and Folio plan</i>	<i>List of parcels/ Land parcels</i>	<i>Area of parcels / Provisional block/ Land parcels</i>	<i>Share units of each parcel/ Provisional block/ Land parcel</i>	<i>Rent of each parcel/ Provisional block/ Land parcel (RM)</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	BUILDING/S:						

	<p>[Use M1, M2, etc., to denote completed building]</p> <p>M1</p>	<p>Storey No. (Folio Plan No.)</p>	<p>Parcel..... Parcel..... Parcel.....</p>		<p>..... Sub-total</p>	<p>..... Sub-total</p>	
	<p>M2</p>	<p>Storey No. (Folio Plan No.)</p>	<p>Parcel..... Parcel..... Parcel.....</p>		<p>..... Sub-total</p>	<p>..... Sub-total</p>	
	<p>etc.</p>				<p>.....</p>	<p>.....</p>	
	<p>PROVISIONAL BLOCK/S: [Use P1, P2, etc., to denote provisional blocks]</p>						
	<p>P1</p>	<p>(Folio Plan No.)</p>	<p>—</p>		<p>.....</p>	<p>.....</p>	
	<p>P2</p>	<p>(Folio Plan No.)</p>	<p>—</p>		<p>.....</p>	<p>.....</p>	
	<p>etc.</p>				<p>.....</p>	<p>.....</p>	
	<p>LAND PARCELS: [Use L1, L2, etc., to denote land parcel. State the first and the last land parcel]</p>						
	<p>L1 – L</p>	<p>(Folio Plan No.)</p>			<p>.....</p>	<p>.....</p>	

					
	PROVISIONAL BLOCK/S (LAND PARCELS): [Use PL1, PL2, etc. to denote provisional blocks (land parcel)] PL1 PL2 etc.	(Folio Plan No.) (Folio Plan No.)	L L — —		Sub-total Sub-total	Sub-total Sub-total	
Total			.....		.....	.....

(Continuation sheets to be added as required)

LIST OF ACCESSORY PARCELS

+Accessory Parcel	++Location of Accessory Parcel	Parcel or Provisional Block to which Accessory Parcel is Appurtenant	Purposes	Area of Accessory parcel

- + For purposes of identifying an accessory parcel, prefix the letter A to the number of the accessory parcel.
- ++ If the accessory parcel is located within a building, indicate the location by reference to the building number and the storey number.

Title ID :

Date :

Version No. :

Page :

STRATA TITLES ACT 1985

FORM 3(K)

[Subparagraph 5(6) of Fifth Schedule]

STRATA REGISTER STATEMENT
 BOOK FOR THE TITLE NO.....

The appended schedule contains all those memorials, endorsements and other entries appearing this day in the register document of the above title, which relate to matters capable of affecting any of the parcels *or any of the provisional blocks form this day held by strata title *or provisional strata title which is subsidiary thereto, not being matters capable of affecting only one of the parcels, *or only one of the provisional blocks.

Dated this day of 20

L.S.
Registrar

SCHEDULE

Express Condition:

Restriction in Interest:

Memorials, Endorsements or Other Entries:

**Enter as appropriate*

Title ID :

Date :

Version No. :

Page :

STRATA TITLES ACT 1985

FORM 4(K)

[Subparagraphs 3(a) and (b) and 5(6) of Fifth Schedule]

STRATA TITLE

TITLE NO.	BUILDING NO.	STOREY NO.	PARCEL NO.

Rent :

*Grant in perpetuity/Lease for the term of
....., expiring on.....

State :

District :

Town/Village/Mukim :

Lot No. :

Area of Parcel :

Accessory Parcel :

Total Area of Accessory Parcel :

Share Units of Parcel :

Certified Strata Plan No. :

Strata Register Book No. :

*Within Malay Reservation Area/Aboriginal Area/Aboriginal Reserve Area/Group
Settlement Area / Others (Please specify)
Gazette Notification No.dated

The above parcel and accessory parcel (if any) on the land is/are held for the full term of the title by the proprietor for the time being named in the record of proprietorship herein subject to the provisions of the Act, to the provisions of the rules made thereunder and more particularly to the memorials, endorsements and other entries. Any dealing in relation to this strata title is subject to the restrictions and conditions as specified herein.

By virtue of this title, the said proprietor also enjoys voting rights in the management corporation proportionate to the share units of this parcel as specified, in relation to the total share units.

Dated this.....

L.S.

Registrar

The plan of the parcel and accessory parcel (if any), for the purposes of identification, is/are attached to Form S(K).

EXPRESS CONDITION
RESTRICTION IN INTEREST
RECORD OF MANAGEMENT CORPORATION
RECORD OF PROPRIETORSHIP
RECORD OF DEALINGS
OTHER MATTERS AFFECTING TITLE

L.S.

Registrar

**Enter as appropriate*

Title ID :
Date :
Version No. :
Page :

STRATA TITLES ACT 1985

FORM 4A(K)

[Subparagraphs 3(a) and (b) and 5(6) of Fifth Schedule]
PROVISIONAL STRATA TITLE

DEALINGS PROHIBITED

TITLE NO.	PROVISIONAL BLOCK NO.
-----------	-----------------------

Rent :

*Grant in perpetuity/Lease for the term of
 expiring on

State :

District :

Town/Village/Mukim :

Lot No. :

Area of Parcel :

Accessory Parcel :

Total Area of Accessory Parcel :

Provisional Share Units :

Certified Strata Plan No. :

Strata Register Book No. :

*Within Malay Reservation Area/Aboriginal Area/Aboriginal Reserve Area/Group Settlement Area/ Others (Please specify)
 Gazette Notification No.....dated

The above provisional block on this land is held for the full term of the title by the proprietor for the time being named in the record of proprietorship herein subject to the provisions of the Act, to the provisions of the rules made thereunder and more particularly to the memorials, endorsements and other entries.

By virtue of this title, the said proprietor also enjoys voting rights in the management corporation proportionate to the provisional share units of this provisional block as specified, in relation to the total share units.

Dealings in respect of this provisional strata title or any share or interest therein are prohibited.

Dated this.....

L.S.

Registrar

The plan of the provisional block, for the purposes of identification, is attached to Form S(K).

EXPRESS CONDITION
RESTRICTION IN INTEREST
RECORD OF MANAGEMENT CORPORATION
RECORD OF PROPRIETORSHIP
OTHER MATTERS AFFECTING TITLE

L.S.

Registrar

**Enter as appropriate*

Title ID :
Date :
Version No. :
Page :

STRATA TITLES ACT 1985

FORM S(K)

[Subparagraph 4(1) of Fifth Schedule]

PLAN OF STRATA TITLE

I certify that the plan attached herein is a true copy of the certified strata plan of the *parcel/provisional block on the land, the particulars of which are as follows:

*Parcel/Provisional Block No. :
**Accessory Parcel No. :
State :
District :

Town/Village/Mukim :
 Land Title No. :
 Lot No. :
 Sheet No. :
 Certified Strata Plan No. :
 Scheme No. :

Dated this.....

L.S.

Registrar

* *Enter as appropriate*
 ***Enter if any*

The plan showing may not be to actual scale

SIXTH SCHEDULE

[Section 4B]

ELECTRONIC LAND ADMINISTRATION SYSTEM OF STRATA TITLES

Interpretation

1. In this Schedule, unless the context otherwise requires—

“computerized strata register” means any record of the strata register which consists of the computerized document of the strata register index, every computerized register document of strata title and copies of the digital certified strata plan corresponding to each parcel and, if any, provisional blocks registered under this Schedule;

“document of strata titles” means any computerized register document of title or computerized issue document of title stored virtually in the land database, and includes a print-out thereof;

“electronic strata titles system” means a system of the integrated Electronic Land Administration System which relates to the electronic processing of applications for strata titles, registration of strata titles, documents required to be prepared thereby and any entry in any document of title through the use of a computer;

“existing document of a computerized strata register record” means any computerized strata register record which consists of existing documents of strata register index, documents of strata register statements, copies of certified strata plans and every register document of strata title corresponding to each parcel and, if any, provisional blocks registered before or after the commencement of the Electronic Land Administration System;

“existing document of strata register record” means any strata register record which consists of existing documents of strata register index, documents of strata register statements, copies of certified strata plans and every register document of strata title corresponding to each parcel and, if any, provisional blocks registered before or after the commencement of the Electronic Land Administration System of Strata Titles;

“existing document of title” means any register document of title or issue document of title issued manually or by use of computer registered before or after the commencement of the Electronic Land Administration System;

“the Act” means the Strata Titles Act 1985 [*Act 318*];

“the Code” means the National Land Code 1965 [*Act 56/1965*].

Construction of the Schedule

2. This Schedule shall be read and construed with the Sixteenth Schedule of the Code as if it forms part thereof.

Mode of making an entry on a document of title under the Electronic Land Administration System of Strata Titles

3. For the purposes of this Act, whenever an entry is required to be made on the computerized document of title, the Registrar shall—

- (a) make the entry;
- (b) prepare a new computerized document of title;
- (c) cancel the previous version of the computer printed document of title;
- (d) capture image of the previous version computer printed document of title that has been cancelled to be virtually stored in the land database; and
- (e) destroy the previous version of the computer printed document of title.

Form for computerized document of title

4. (1) For the purpose of section 16 of the Act, the Registrar shall prepare the documents of strata titles corresponding to the land held under Registry title or Land Office title respectively in which—

- (a) the computer register document of title shall be in Form 4e in respect of a parcel or in Form 4ae in respect of a provisional block, of this Schedule; and
- (b) the computer printed issue document of title in the same form as specified in subparagraph 1(a).

Plan for computerized document of strata titles

5. The Registrar shall issue the plan attached to Form Se of the individual parcel or provisional block, including the plan of accessory parcel, if any, separately to the proprietor and shall duly authenticate under his digital signature.

Mode of preparing a record of computerized strata register

6. (1) For the purpose of subsection 15(2), the Registrar shall, by this Schedule, prepare and maintain a record of computerized strata register relating to one lot and, every such book shall contain—

- (a) computerized document of strata register index in Form 2e to the individual parcel and, if any, appurtenant accessory parcels and to the individual provisional block, if any, comprised in the lot;
- (b) a computerized document of strata register statement in Form 3e;
- (c) a copy of the certified strata plan as approved by the Director of Survey pursuant to paragraph 13(1)(a) of the Act; and
- (d) every computer register document of title in Form 4e or in Form 4ae, as the case may be.

(2) Notwithstanding paragraph 15(2)(b), every book of computerized strata register under this Schedule shall exclude any statement in Form 3e as those statement contains all memorials, endorsements and other entries appearing in the register document of the title to the land, which relate to matters capable of affecting any of the parcels or any of the provisional blocks held by strata title or provisional strata title which is subsidiary thereto, not being matters capable of affecting one only of the parcels, or one only of the provisional blocks.

Conversion to documents of computerized strata register

7. (1) Upon the coming into operation of the Electronic Land Administration System of Strata Titles in the Land Registry of the State, the Registrar shall convert the existing document of strata register record to the documents of computerized strata register and shall authenticate the same under his digital signature.

(2) An existing register documents of title shall continue to be in operation and valid for all purposes of the Act until a computerized document of title is prepared under this Schedule and duly authenticated by the Registrar.

(3) After the conversion of an existing register document of title, the existing issue document of title in respect thereof shall continue to be in operation and valid for all purposes of this Act until the relevant computer printed issue document of title is prepared and issued to the proprietor.

(4) In respect of an existing document of strata register record prepared under this Act, the computerized strata register shall be prepared as in Form 2e, 3e, 4e or 4Ae, as the case may be.

(5) In respect of an existing document of title registered under the Code, the computerized document of title shall be deemed to be a process for the preparation of title-in-continuation under this Schedule.

(6) Upon the conversion of an existing document of title to a computer printed document of title under the preceding subparagraphs, the Registrar—

- (a) may produce the plan to be attached to Form Se and shall be duly authenticated under his digital signature;
- (b) shall make a note of cancellation—
 - (i) by way of an endorsement across the surface of the existing relevant strata register; or
 - (ii) of any types of endorsement in any circumstances where an endorsement across the surface of the existing relevant strata register is impossible,

to the effect that the title in question has been converted to the computerized document of title;

- (c) shall cancel the existing issue document of title and capture its image to be virtually stored in the land database when submitted to him; and
- (d) shall destroy the existing issue document of title that has been cancelled.

Mode of preparing document of title

8. (1) Every document of title to be prepared upon subdivision of building, or building and land, or subdivision of land into land parcel or title-incontinuation or replacement of a computerized printed register document of title shall, under this Schedule, be prepared by use of a computer.

(2) Every computerized strata register prepared under this Schedule shall be viewed via a computer for any verification purposes.

(3) Upon request by the Registrar or for any purposes of the Act or any other related laws, every computerized strata register prepared under this Schedule shall be printed out in the respective form accordingly as a copy of computerized register document of title or computerized issued document of title or computerized strata register.

Delivery to registered proprietor of a copy of the plan

9. Where a document of title is prepared upon subdivision of building, or building and land, or subdivision of land into land parcel, or title-incontinuation effected by subdivision of parcel, or amalgamation of parcels, or subdivision of a provisional block upon completion, or replacement of a computer printed register document of title, the Registrar shall deliver to the proprietor the computerized issue document of title together with a copy of the plan of the parcel or provisional block attached to Form *Se*, and shall be duly authenticated under his digital signature.

Conclusive evidence

10. For the purposes under section 15 to 19 of this Act, every document of a book of computerized strata register virtually stored in the land database shall be conclusive evidence of the particulars recorded therein.

Effect of opening the computerized strata register record under the Electronic Land Administration System of Strata Titles

11. For the purpose of subsection 17(1) and upon authenticating the computerized document of title in respect of the parcel or the provisional block, the Registrar shall immediately enter on the computerized register document of title to the lot in question, a memorial to the effect that the book of computerized strata register has been opened and that the common property is vested in the management corporation. A memorial required to be stated therein shall be authenticated under the digital signature of the Registrar.

Presentation Record

12. (1) The Registrar shall maintain a record, to be called the “Presentation Record” in which shall be entered a short description of every matter presented for registration or entry, as the case may be.

(2) The Presentation Record shall consist of—

- (a) the presentation number given by the computer in respect of each matter presented;
- (b) the date and time of presentation;
- (c) a description of the matter;
- (d) in the case of dealing, the name of the person presenting the matter;
- (e) the title description of the parcel and land parcel affected by the presentation; and
- (f) a note whether the matter has been registered, endorsed, or entered, as the case may be, or rejected or withdrawn.

(3) The “Presentation Record” under this paragraph shall form part of the Presentation Record under paragraph 12 in the Sixteenth Schedule to the Code.

Correction Note Record

13. (1) The Registrar shall maintain the Correction Note Record which shall consist a short description of every matter corrected which includes—

- (a) the presentation number given by the computer in respect of the correction;
- (b) the date and time of correction; and
- (c) a description in detail of the correction.

(2) The Correction Note Record under this paragraph shall form part of the Correction Note Record under paragraph 12 of the Sixteenth Schedule of the Code.

Contents of computerized document of title to be verified

14. (1) After the Registrar has determined that an instrument is fit for registration in accordance with the provisions of Part 18 of the Code or that any other matter shall be entered into the computerized document of title, he shall verify the contents of the

verification document and if he finds the verification document to be in order, he shall authenticate the document under his digital signature.

(2) After the Registrar has registered any instrument of dealing or enter any other matter into a computer printed document of title, the verification document shall be virtually stored in land database upon his authentication.

Mode of registering instrument

15. (1) For the purpose of paragraph 304(2)(a) of the Code, the memorial in the term set out in subsection 304(3) thereof shall be entered into the computer in respect of the register document of title to which the parcel relates.

(2) The Registrar may, in respect of the documents required under section 306 of the Code, capture image of those documents to be virtually stored in the land database.

New computerized printed issue document of title

16. Upon making the memorial in the manner provided in paragraph 14 where it relates to a dealing or upon determining that any other matter shall be entered into any document of title, the Registrar shall—

(a) cause to be updated the register document of title kept in the land database;
and

(b) cause to be printed a new computerized issue document of title.

Conclusiveness of registration of title

17. (1) Every register document of title prepared under paragraph 15 and authenticated under the digital signature of the Registrar shall be conclusive evidence of the registration to which it refers and the effective time and date thereof.

(2) Notwithstanding the requirement of authentication under subparagraph (1), the requirement of seal under Registrar's authentication shall be considered to be dispensed with.

Termination of the relevant record of strata register

18. (1) For the purpose of section 57 of the Act, the Registrar shall—

(a) enter a memorial of the notification of intended termination of subdivision in every computerized register document of title and other document of the

relevant record of computerized strata register and shall authenticate the same under his digital signature;

- (b) cancel the relevant record of computerized strata register;
- (c) capture image of the relevant record of computerized strata register that has been cancelled to be virtually stored in the land database; and
- (d) destroy the relevant record of computerized strata register that has been cancelled.

(2) Notwithstanding the termination of a subdivision under this paragraph, the relevant record of computerized strata register shall continue in existence in the land database and may be used in evidence as a record of matters relating to the subdivision before its' termination.

STRATA TITLES ACT 1985

FORM 2e

[Sixth Schedule]

STRATA REGISTER INDEX

State	:
District	:
*Town/Village/Mukim	:
Title No.	:
Lot No.	:
Area	:
File Reference No.	:
Name of Management Corporation	:
Address of Management Corporation	:
Address for Service of Documents	:
Computer Strata Register Record No.	:
Memorials, Endorsements and Other Entries	:

SUMMARY OF CONTENTS

<i>Building/ Provisional block/ Land Parcel</i>	<i>Purposes</i>	<i>No. of parcels</i>	<i>Share units/ Provisional share units</i>
Building/s M1 M2
Provisional Block/s P1 P2	— —
Land Parcel L1 – L
Provisional Block/s (Land parcel) PL1 PL2	— —
Total	

Total number of folios in certified strata plan.....

Title ID :

Date :

Version No. :

Page :

DETAILED INDEX

<i>Page no. of title of parcel/ Provisional block/ Land parcel</i>	<i>Building/ Provisional block/ Land parcel</i>	<i>List of storeys and Folio plan</i>	<i>List of parcels/ Land parcels</i>	<i>Area of parcels/ Provisional block/Land parcels</i>	<i>Share units of each parcel/ Provisional block/Land parcel</i>	<i>Rent of each parcel/ Provisional block/ Land parcel (RM)</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	BUILDING/S: [Use M1, M2, etc. to denote						

	<i>completed building]</i>					
	M1 ...	Storey No.	Parcel Parcel Parcel .....		...............	...............
	M2 ...	(Folio Plan No.)			Sub-total	Sub-total
		Storey No.	Parcel Parcel Parcel .....		...............	...............
		(Folio Plan No.)			Sub-total	Sub-total
	etc.				.....	.....
	PROVISIONAL BLOCK/S: [Use P1, P2, etc. to denote provisional blocks]					
	P1	(Folio Plan No. .....)	—		.....	.....
	P2	(Folio Plan No. .....)	—		.....	.....
	etc.					
		(Folio Plan No.)	—		Sub-total	Sub-total
	LAND PARCELS: [Use L1, L2, etc. to denote land parcel. State the first and the last land parcel]				..... .....	..... .....
	L1 – L		L			

	PROVISIONAL BLOCK/S (LAND PARCELS): [Use PL1, PL2, etc. to denote provisional blocks (land parcel)]	(Folio Plan No.)	L		Sub-total	Sub-total	
	PL1 ...	(Folio Plan No.)	—		Sub-total	Sub-total	
	PL2 ...	(Folio Plan No.)	—				
	etc.						
Total			.....		.....	.....

(Continuation sheets to be added as required)

LIST OF ACCESSORY PARCELS

+Accessory Parcel	++Location of Accessory Parcel	Parcel or Provisional Block to which Accessory Parcel is Appurtenant	Purposes	Area of Accessory parcel

+ For the purposes of identifying an accessory parcel, prefix the letter A to the number of the accessory parcel.

++ If the accessory parcel is located within a building, indicate the location by reference to the building no. and the storey no.

Title ID :

Date :

Version No. :

Page :

STRATA TITLES ACT 1985

FORM 3e

[Sixth Schedule]

STRATA REGISTER STATEMENT

BOOK FOR THE TITLE NO.....

The appended schedule contains all those memorials, endorsements and other entries appearing this day in the register document of the above title, which relate to matters capable of affecting any of the parcels or any of the provisional blocks from this day held by strata title or provisional strata title which is subsidiary title thereto, not being matters capable of affecting only one of the parcels, or one only of the parcels, or one only of the provisional blocks.

Dated this day of 20

.....
Digital Signature of Registrar

SCHEDULE

Express Condition:

Restriction in Interest:

Memorials, Endorsements or Other Entries:

Title ID :

Date :

Version No. :

Page :

STRATA TITLES ACT 1985

FORM 4e

[Sixth Schedule]

STRATA TITLE

TITLE NO.	BUILDING NO.	STOREY NO.	PARCEL NO.

Rent :

*Grant in perpetuity/Lease for the term of

expiring on

State :

District :

Town/Village/Mukim :

Lot No. :

Area of Parcel :

Accessory Parcel :

Total Area of Accessory Parcel :

Share Units of Parcel :

Certified Strata Plan No. :

Computer Strata Register Record No. :

*Within Malay Reservation Area/Aboriginal Area/Aboriginal Reserve Area/Group Settlement Area/ Others (Please specify)
Gazette Notification No. dated

The above parcel and accessory parcel (if any) on this land is/are held for the full term of the title by the proprietor for the time being named in the record of proprietorship herein subject to the provisions of the Act, to the provisions of the rules made thereunder and more particularly to the memorials, endorsements and other entries. Any

dealing in relation to this strata title is subject to the restrictions and conditions as specified herein.

By virtue of this title, the said proprietor also enjoys voting rights in the management corporation proportionate to the share units of this parcel as specified, in relation to the total share units.

Dated this.....

.....
Digital Signature

The plan of the parcel and accessory parcel (if any), for the purposes of identification, is/are attached to Form Se.

EXPRESS CONDITION
RESTRICTION IN INTEREST
RECORD OF MANAGEMENT CORPORATION
RECORD OF PROPRIETORSHIP
RECORD OF DEALINGS
OTHER MATTERS AFFECTING TITLE

.....
Digital Signature

**Enter as appropriate*

Title ID :
Date :
Version No. :
Page :

STRATA TITLES ACT 1985

FORM 4Ae

[Sixth Schedule]

PROVISIONAL STRATA TITLE

DEALINGS PROHIBITED

TITLE NO.	PROVISIONAL BLOCK NO.
-----------	-----------------------

Rent :

*Grant in perpetuity/Lease for the term of

expiring on

State :

District :

*Town/Village/Mukim :

Lot No. :

Area of Parcel :

Accessory Parcel :

Total Area of Accessory Parcel :

Provisional Share Units :

Certified Strata Plan No. :

Computer Strata Register Record No. :

*Within Malay Reservation Area/Aboriginal Area/ Aboriginal Reserve Area/Group Settlement Area/ Others (Please specify)

Gazette Notification No. dated

The above provisional block on this land is held for the full term of the title by the proprietor for the time being named in the record of proprietorship herein, subject to the provisions of the Act, to the provisions of the rules made thereunder and more particularly to the memorials, endorsements and other entries.

By virtue of this title, the said proprietor also enjoys voting rights in the management corporation proportionate to the provisional share units to the provisional block.

Dealings in respect of this provisional strata title or any share or interest therein are prohibited.

Dated this.....

.....
Digital Signature

The plan of the provisional block, for the purposes of identification, is attached to Form Se.

EXPRESS CONDITION
RESTRICTION IN INTEREST
RECORD OF MANAGEMENT CORPORATION
RECORD OF PROPRIETORSHIP
OTHER MATTERS AFFECTING TITLE

.....
Digital Signature

**Enter as appropriate*

Title ID :
Date :
Version No. :
Page :

STRATA TITLES ACT 1985

FORM Se

[Sixth Schedule]

PLAN OF STRATA TITLE

I certify that the plan attached herein is a photo reduced true copy of the certified strata plan of the *parcel/provisional block on the land; and it is duly authenticated under digital signature of the Registrar.

*Parcel/Provisional Block No. :
 **Accessory Parcel No. :
 State :
 District :
 *Town/Village/Mukim :
 Land Title No. :
 Lot No. :
 Sheet No. :
 Certified Strata Plan No. :
 Computer Strata Register Record No. :

Dated this.....

.....
Digital Signature

* *Enter as appropriate*
 ***Enter if any*

The plan showing may not be to actual scale

SEVENTH SCHEDULE

[Section 57A]

EFFECT OF ACQUISITION OF SUBDIVIDED BUILDING OR LAND

Interpretation

1. In this Schedule, unless the context otherwise requires—

“former proprietor” means a person who, or a body which, immediately before taking of formal possession of the whole or part of subdivided building or land, is the

proprietor of a parcel in the building or land or of a provisional block on the land on which the building is situated;

“the Code” means the National Land Code 1965 [*Act 56/1965*].

Acquisition of the whole lot with subdivided building or land

2. In the case where the whole lot with subdivided building or land is acquired under the Land Acquisition Act 1960—

- (a) the management corporation shall liquidate any assets and distribute any profits to the former proprietors proportionately based on the share units or provisional share units which they held immediately before the taking of formal possession;
- (b) the management corporation shall determine the reasonable period for the management corporation to continue in existence to settle its affairs;
- (c) the management corporation shall continue in existence for so long as it is reasonably necessary to settle its affairs and shall then cease to exist;
- (d) the management corporation shall inform the Registrar the date that the management corporation shall cease to exist; and
- (e) the Registrar shall cancel the relevant book of the strata register.

Acquisition of part of the lot with subdivided building or land

3. In the case where part of the lot (including subdivided building or land) is acquired under the Land Acquisition Act 1960—

- (a) the subsisting documents of strata title which relate to the parcel or provisional block not acquired shall be retained and continued to be in force;
- (b) the Registrar shall endorse the title in continuation of the lot and other relevant entries in the relevant strata register;
- (c) a new certified strata plan shall be prepared for the parcel or provisional block not acquired and shall be inserted in the relevant strata register; and
- (d) the Director shall approve the new proposed share units, if any, assigned to the parcel or provisional block not acquired, if equitable, and the Registrar shall endorse the new approved share units in the relevant strata register.

Acquisition of common property

4. In the case where part of the lot involved only common property is acquired under the Land Acquisition Act 1960 and ceased to be part of the lot—

- (a) the subsisting documents of strata title which relate to the parcel or provisional block not acquired, shall be retained and continued to be in force;
- (b) the Registrar shall endorse the title in continuation of the lot and other relevant entries in the relevant strata register; and
- (c) the Director of Survey shall endorse on existing certified strata plan—
 - (i) the title in continuation of the lot;
 - (ii) the new certified plan number of the lot; and
 - (iii) the new area of the lot;

and upon receiving the existing certified strata plan from the Director of Survey, the Registrar shall insert the plan in the relevant strata register.

Acquisition of parcel or provisional block

5. (1) In the case where parcel or provisional block is acquired under the Land Acquisition Act 1960—

- (a) the affected documents of strata title shall vest in the statutory authority, person or corporation on whose behalf the parcel or provisional block has been acquired; and
- (b) the Registrar shall endorse other relevant entries in the relevant strata register.

(2) In the case where part of a parcel is acquired under the Land Acquisition Act 1960, the provision of Part V of this Act shall be applicable with modifications.

LAWS OF MALAYSIA

Act 318

STRATA TITLES ACT 1985

LIST OF AMENDMENTS

Amending law	Short title	In force from
Act 160	Malaysian Currency (Ringgit) Act 1975	29-08-1975
Act A753	Strata Titles (Amendment) Act 1990	23-02-1990
Act A951	Strata Titles (Amendment) Act 1996	02-08-1996
Act A1107	Strata Titles (Amendment) Act 2001	01-12-2001
Act A1290	Strata Titles (Amendment) Act 2007	12-04-2007 (Federal Territory of Kuala Lumpur and the Federal Territory of Putrajaya [P.U. (B) 148/2007]; States of: Johore, Kedah, Kelantan, Malacca, Negeri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Terengganu [P.U. (B) 149/2007]).
P.U.(A) 458/2009	Federal Territory of Labuan (Extension and Modification of Strata Titles Act) Order 2009	01-01-2010

Amending law	Short title	In force from
Act A1450	Strata Titles (Amendment) Act 2013	01-06-2015 [<i>P.U. (B) 238/2015</i>] in the states of Johore, Kedah, Kelantan, Malacca, Negeri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Terengganu except section 22;
		01-06-2015 [<i>P.U. (B) 239/2015</i>] in the Federal Territory of Kuala Lumpur, Federal Territory of Putrajaya, Federal Territory of Labuan except section 22.
P.U. (A) 105/2015	Strata Titles (Amendment of Forms) Order 2015	01-06-2015
P.U. (A) 142/2015	Strata Titles (Amendment of Forms) Order 2015 (Corrigendum)	01-06-2015
P.U. (A) 379/2016	Strata Titles (Amendment of Schedule and Forms) Order 2016	01-01-2017
Act A1518	Strata Titles (Amendment) Act 2016	01-01-2017 [<i>P.U. (B) 532/2016</i>] in the states of Johore, Kedah, Kelantan, Malacca, Negeri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Terengganu except section 29;
		01-01-2017 [<i>P.U. (B) 528/2016</i>] in the Federal Territory of Kuala Lumpur, the Federal Territory of Putrajaya and the Federal Territory of Labuan except section 29;

Amending law	Short title	In force from
		01-01-2018 [<i>P.U. (B) 560/2017</i>] in the states of Johore, Kedah, Kelantan, Malacca, Negeri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Terengganu for section 29;
		01-01-2018 [<i>P.U. (B) 561/2017</i>] in the Federal Territory of Kuala Lumpur, the Federal Territory of Putrajaya and the Federal Territory of Labuan for section 29.
P.U. (A) 368/2017	Strata Titles (Amendment of Fifth Schedule) Order 2017	01-01-2018
P.U. (A) 128/2021	Strata Titles (Amendment of Fifth Schedule) Order 2021	01-04-2021

LAWS OF MALAYSIA

Act 318

STRATA TITLES ACT 1985

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
Long title	Act A1290	12-04-2007
	Act A1518	01-01-2017
Preamble	Act A1290	12-04-2007
	Act A1450	01-06-2015
	Act A1518	01-01-2017
2	Act A1290	12-04-2007
	Act A1450	01-06-2015
4	Act A753	23-02-1990
	Act A951	02-08-1996
	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
	Act A1518	01-01-2017
4A	Act A1290	12-04-2007
	Act A1518	01-01-2017
4B	Act A1450	01-06-2015
4C	Act A1518	01-01-2017
PART II	Act A1290	12-04-2007
6	Act A753	23-02-1990
	Act A951	02-08-1996
	Act A1290	12-04-2007
7	Act A951	02-08-1996
	Act A1290	12-04-2007
	Act A1450	01-06-2015

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Section	Amending authority	In force from
8	Act A753	23-02-1990
	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
	Act A1518	01-01-2017
8A	Act A1450	01-06-2015
	Act A1518	01-01-2017
9	Act A753	23-02-1990
	Act A951	02-08-1996
	Act A1290	12-04-2007
	Act A1450	01-06-2015
	Act A1518	01-01-2017
9A	Act A1450	01-06-2015
	Act A1518	01-01-2017
9B	Act A1450	01-06-2015
10	Act A753	23-02-1990
	Act A951	02-08-1996
	Act A1290	12-04-2007
	Act A1450	01-06-2015
	Act A1518	01-01-2017
10A	Act A753	23-02-1990
	Act A951	02-08-1996
	Act A1290	12-04-2007
	Act A1450	01-06-2015
10B	Act A1290	12-04-2007
	Act A1450	01-06-2015
11	Act A1450	01-06-2015
12	Act A1450	01-06-2015
13	Act A951	02-08-1996
	Act A1290	12-04-2007
	Act A1450	01-06-2015
14A	Act A753	23-02-1990
	Act A1290	12-04-2007
	Act A1450	01-06-2015

Section	Amending authority	In force from
15	Act A753	23-02-1990
	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
16	Act A753	23-02-1990
	Act A1450	01-06-2015
17	Act A753	23-02-1990
	Act A1290	12-04-2007
	Act A1450	01-06-2015
	Act A1518	01-01-2017
17A	Act A1450	01-06-2015
	Act A1518	01-01-2017
17B	Act A1518	01-01-2017
19	Act A753	23-02-1990
19A	Act A1450	01-06-2015
	Act A1518	01-01-2017
PART VI	Act A1450	01-06-2015
20	Act A753	23-02-1990
	Act A1290	12-04-2007
20A	Act A1450	01-06-2015
	Act A1518	01-01-2017
20B	Act A1450	01-06-2015
	Act A1518	01-01-2017
21	Act A753	23-02-1990
	Act A1450	01-06-2015
22	Act A1450	01-06-2015
22A	Act A753	23-02-1990
	Act A1450	01-06-2015
22B	Act A753	23-02-1990
	Act A1290	12-04-2007

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Section	Amending authority	In force from
	Act A1450	01-06-2015
PART IVA	Act A1518	01-01-2017
23A	Act A1518	01-01-2017
23B	Act A1518	01-01-2017
23C	Act A1518	01-01-2017
23D	Act A1518	01-01-2017
23E	Act A1518	01-01-2017
23F	Act A1518	01-01-2017
23G	Act A1518	01-01-2017
23H	Act A1518	01-01-2017
23I	Act A1518	01-01-2017
23J	Act A1518	01-01-2017
PART IVB	Act A1518	01-01-2017
23K	Act A1518	01-01-2017
23L	Act A1518	01-01-2017
23M	Act A1518	01-01-2017
23N	Act A1518	01-01-2017
23O	Act A1518	01-01-2017
23P	Act A1518	01-01-2017
PART V	Act A1518	01-01-2017
25	Act A1107 Act A1450 Act A1518	01-12-2001 01-06-2015 01-01-2017
26	Act A1450	01-06-2015

Section	Amending authority	In force from
27	Act A1107 Act A1450	01-12-2001 01-06-2015
28	Act A1107 Act A1450	01-12-2001 01-06-2015
29	Act A1518	01-01-2018
31	Act A1450	01-06-2015
33A	Act A1107 Act A1518	01-12-2001 01-01-2017
PART VI	Act A753	23-02-1990
34	Act A753 Act A1518	23-02-1990 01-01-2017
35	Act A1518	01-01-2017
36	Act A753 Act A1450	23-02-1990 01-06-2015
37	Act A1290 Act A1450	12-04-2007 01-06-2015
38	Act A753 Act A1450	23-02-1990 01-06-2015
PART VII	Act A1450	01-06-2015
39	Act A1107 Act A1290 Act A1450	01-12-2001 12-04-2007 01-06-2015
40	Act A753 Act A1290 Act A1450	23-02-1990 12-04-2007 01-06-2015
40A	Act A1290	12-04-2007
41	Act A1450 Act A753 Act A1107	01-06-2015 23-02-1990 01-12-2001

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Section	Amending authority	In force from
	Act A1290	12-04-2007
	Act A1450	01-06-2015
41A	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
42	Act A753	23-02-1990
	Act A1450	01-06-2015
43	Act A753	23-02-1990
	Act A1290	12-04-2007
	Act A1450	01-06-2015
44	Act A753	23-02-1990
	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
45	Act A753	23-02-1990
	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
46	Act A1107	01-12-2001
	Act A1450	01-06-2015
47	Act A753	23-02-1990
	Act A1290	12-04-2007
	Act A1450	01-06-2015
48	Act A753	23-02-1990
	Act A1450	01-06-2015
49	Act A1290	12-04-2007
	Act A1450	01-06-2015
50	Act A753	23-02-1990
	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
51	Act A753	23-02-1990
	Act A1450	01-06-2015

Section	Amending authority	In force from
52	Act A753 Act A1450	23-02-1990 01-06-2015
53	Act A753 Act A1450	23-02-1990 01-06-2015
53A	Act A753 Act A1107 Act A1290 Act A1450	23-02-1990 01-12-2001 12-04-2007 01-06-2015
54	Act A1450	01-06-2015
55	Act A753 Act A1290 Act A1450	23-02-1990 12-04-2007 01-06-2015
55A	Act A1107 Act A1450	01-12-2001 01-06-2015
PART VIII	Act A1518	01-01-2017
56	Act A1518	01-01-2017
57	Act A753 Act A1450 Act A1518	23-02-1990 01-06-2015 01-01-2017
PART VIIIA	Act A1518	01-01-2017
57A	Act A1518	01-01-2017
PART IX	Act A1290	12-04-2007
58	Act A753	23-02-1990
59–61	Act A1290	12-04-2007
61A	Act A753 Act A1290	23-02-1990 12-04-2007
62	Act A1290	12-04-2007
63	Act A1290	12-04-2007

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Section	Amending authority	In force from
64	Act A753 Act A1290	23-02-1990 12-04-2007
64A	Act A753 Act A1107	23-02-1990 01-12-2001
65	Act A1290	12-04-2007
66A	Act A753	23-02-1990
PART IXA	Act A1107 Act A1450	01-12-2001 01-06-2015
67A	Act A1107 Act A1290 Act A1450	01-12-2001 12-04-2007 01-06-2015
67B	Act A1107 Act A1290 Act A1450	01-12-2001 12-04-2007 01-06-2015
67C	Act A1107 Act A1450	01-12-2001 01-06-2015
67D	Act A1107 Act A1450	01-12-2001 01-06-2015
67E	Act A1107 Act A1450	01-12-2001 01-06-2015
67F	Act A1107 Act A1450	01-12-2001 01-06-2015
67G	Act A1107 Act A1450	01-12-2001 01-06-2015
67H	Act A1107 Act A1450	01-12-2001 01-06-2015
67I	Act A1107 Act A1450	01-12-2001 01-06-2015
67J	Act A1107 Act A1450	01-12-2001 01-06-2015

Section	Amending authority	In force from
67K	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67L	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67M	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67N	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67O	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67P	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67Q	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67R	Act A1107	01-12-2001
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67S	Act A1107	01-12-2001
	Act A1450	01-06-2015
67T	Act A1107	01-12-2001
	Act A1450	01-06-2015
67U	Act A1107	01-12-2001
	Act A1450	01-06-2015
67V	Act A1107	01-12-2001
	Act A1450	01-06-2015
67W	Act A1107	01-12-2001

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Section	Amending authority	In force from
	Act A1290	12-04-2007
	Act A1450	01-06-2015
67x	Act A1107	01-12-2001
	Act A1450	01-06-2015
68	Act A753	23-02-1990
71	Act A753	23-02-1990
72	Act A753	23-02-1990
76	Act A753	23-02-1990
	Act A1450	01-06-2015
77	Act A1450	01-06-2015
78	Act A1450	01-06-2015
80A	Act A1107	01-12-2001
81	Act A753	23-02-1990
	Act A1107	01-12-2001
	Act A1518	01-01-2017
83	Act A753	23-02-1990
84	Act A753	23-02-1990
85	Act A753	01-06-1985
First Schedule	Act A753	23-02-1990
	Act A951	02-08-1996
	Act A1107	01-12-2001
	Act A1290	12-04-2007
	P.U. (A) 105/2015	01-06-2015
	P.U. (A) 142/2015	01-06-2015
	P.U. (A) 379/2016	01-01-2017
Second Schedule	Act A753	23-02-1990
	Act A951	02-08-1996
	Act A1290	12-04-2007
	Act A1450	01-06-2015
Third Schedule	Act A753	23-02-1990

Section	Amending authority	In force from
	Act A1290	12-04-2007
	Act A1450	01-06-2015
Fifth Schedule	Act A1290	12-04-2007
	P.U. (A) 105/2015	01-06-2015
	Act A1450	01-06-2015
	Act A1518	01-01-2017
	P.U. (A) 368/2017	01-01-2018
	P.U. (A) 128/2021	01-04-2021
Sixth Schedule	Act A1450	01-06-2015
	P.U. (A) 379/2016	01-01-2017
Seventh Schedule	Act A1518	01-01-2017
